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The Works of Henry Clay

Volume Two

Life and Times

Part Two

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NOTE.

In the introduction of this work, the author announced as one of his rules in its composition, that he had confined himself to the life and career of Mr. Clay, and that he does not profess to give history any further than Mr. Clay has been connected with it. He also suggested, that he has not been able to use all the materials found within these limits. It will be obvious, therefore, that wide as has been his range, and comprehensive as has been the view of public affairs which he has been obliged to take, the history contained in these volumes is rather personal than general.

It can not but be observed, that Mr. Clay's public life has been one of conflict, and that the principles and measures he has advocated, have been stormed by opposition, often amounting to animated hostility, and sometimes to bitter personal animosity. It can not, therefore, be surprising, but should be expected, that the author, sympathizing with Mr. Clay's principles, and with himself when assailed on account of his principles, should earnestly, when he could conscientiously, defend both the one and the other. How else could he do justice to his subject?

This duty of the author has necessarily led him to use some freedom of remark toward public men. The times of Mr. Clay have been characterized with strife for great and vital principles of a young republic. In whatever he has been right, he could not be vindicated, without a showing of the wrong; and it has so happened, that the wrong done to the country, as well as to Mr. Clay, has, in some instances, according to the convictions of the author, been very great and flagrant. It was unavoidable, therefore, that he should speak of all concerned in these controversies, as the

merits of the questions seemed to require. However undesirable it may be in itself, to arraign the by-gone acts of those who occupy eminent positions in society, duty to the commonwealth is paramount to respect for individuals, if their conduct demands animadversion. If anything can purchase impunity for political offences, or silence remonstrance, or seal up the records of history, the strongest motives to fidelity in the public service are destroyed.

The author has endeavored so to exhibit the political history of the country, which was necessarily involved in his undertaking, as to show its practical bearings on the great interests of the people.

It will be seen, that he has endeavored to give form to an important doctrine on the subject of protection, not before clearly defined. If he has succeeded in showing, that political freedom for the masses is indissolubly connected with protection of their labor, where such freedom exists, he will have accomplished what he very much desired, as he sincerely believes, that all that is necessary to the protective policy, IN and FOR the United States, is comprehended in a right understanding of the relation between LABOR AS AN AGENT OF POWER AND LABOR AS AN INDEPENDENT AGENT. He thinks that the entire doctrine of the protective policy in THIS country, must ultimately resolve itself into this, and that when it is fully understood, there will be nothing else of it, but the simple principle—LABOR AGAINST POWER.

The rights of property and of labor once secured, the great end of political society would seem to be accomplished. Then, and not till then, will labor have its own fair and rightful chances to acquire property, retain it, and be independent. Nothing, therefore, has a greater interest in maintaining and vindicating the rights of property, when its own rights are secured, than labor, in all its departments, intellectual, professional, artistical, agricultural, manufacturing, mechanical, commercial, and manipulation of every description—whatever, indeed, is labor necessary to the wants of man and to the perfection of the social state.

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THE

LIFE AND TIMES

OF

HENRY CLAY.

CHAPTER I.

THE CURRENCY.

Mr. Clay's Views in 1811.—His Change of Opinion on a National Bank.—Reasons.—The Constitutional Question.—Not Banks, but a Tariff, that makes Money plenty and sound.—Losses to the Country by State Banks.—General Jackson's Veto of the Bank in 1832.—Reasons.—Remarks of Mr. Clay on the Veto.—The Motives out of Sight.—The Wiles of the Magician.—The Way the State of New York was brought under.—How General Jackson attempted to bring the Nation under.—Failure.—Vengeance.

When Mr. Clay made his speech, in 1811, against rechartering the bank of the United States, he found occasion to rehearse the following anecdote of Patrick Henry:—

"He mistook, in one instance, the side of the cause in which he was retained, and addressed the court and jury in a very masterly and convincing speech, in behalf of his antagonist. His distracted client came up to him, while he was thus employed, and, interrupting him, bitterly exclaimed: 'You have undone me! You have ruined me!'—'Never mind—give yourself no concern,' said the adroit advocate; and turning to the court and jury, continued his argument, by observing, 'May it please your honors, and you, gentlemen of the jury, I have been stating to you what I presume my adversary may urge on his side. I will now show you how fallacious his reasonings, and groundless his pretensions are.' The skilful orator proceeded, satisfactorily refuted every argument he had advanced, and gained his cause!"

It can not be denied, that Mr. Clay made a very able argument on that occasion, and that either his argument, or his vote, or both, defeated the bill; for it passed the house of representatives, and was lost in the senate, of which Mr. Clay was then a member

only by the casting vote of the vice-president, Mr. Clinton. But in Mr. Clay's argument on the same subject, in 1816, like Patrick Henry, he beat himself, "and gained his cause." His speech on the last occasion, in committee of the house of representatives, of which he was then member and speaker, was never published; but in an address to his constituents at Lexington, June 3, 1816, his views and reasons in supporting the bank are succinctly and forcibly stated, of which he afterward, in 1832, said: "By the reasons assigned in it for the change of my opinion, I am ready to abide, in the judgment of the present generation, and of posterity." He also said on the same occasion: "During a long public life (I mention the fact not as claiming any merit for it), the only great question, on which I have ever changed my opinion, is that of the bank of the United States." It might, perhaps, more properly be called a change of sides, than of opinion; for the reasons which shaped and controlled his opinion in 1811, are as different from those which swayed him in 1816, as one opinion varies from the other; and there is no inconsistency in his action in the two cases, when the reasons of both are considered. It was not, therefore, strictly speaking, a change of opinion; but a change of circumstances in the state of the country and in the state of the question, which led to different views with a statesman. Since, however, Mr. Clay himself has allowed it to be a change of opinion, others are not required to arraign this admission, though it may be suggested, that its ingenuousness might naturally create additional confidence in that correctness of judgment which has never required, and that firmness of character which has never shown, a change on any other great national question.

But, it is due to Mr. Clay to show the reasons of this change. They are few, simple, and obvious. In Mr. Clay's address to his constituents, June 3, 1816, he gave three reasons for his opposition to the bank in 1811: "First, that he was instructed to oppose it by the legislature of the state. Next, that he believed the corporation had, during a portion of the period of its existence, abused its power, and had sought to subserve the views of a political party." In answer to the question, "What security is there, that the new bank [of 1816] will not imitate this example?" he replied: "The fate of the old bank, warning all similar institutions to shun politics; the existence of abundant competition, arising from the great multiplication of banks; and the precautions which are to be found in the details of the act."

"A *third* consideration [said Mr. Clay] upon which he acted in 1811, was, that as the power to create a corporation, such as was proposed to be continued, was not specifically granted in the constitution, and did not then appear to him to be necessary to carry into effect any of the powers which were specifically granted, Congress was not authorized to continue the bank. The constitution, he said, contained powers delegated and prohibitory, powers expressed and constructive. It vests in Congress all powers *necessary* to give effect to the enumerated powers—all that may be necessary to put into motion and activity the machine of government which it constructs. The powers that may be so necessary are deducible by construction. They are not defined in the constitution. They are, from their nature, indefinable. When the question is in relation to one of these powers, the point of inquiry should be, is its exertion necessary to carry into effect any of the enumerated powers and objects of the general government? With regard to the *degree* of necessity, various rules have been, at different times, laid down; but, perhaps, at last, there is no other than a sound and honest judgment exercised, under the checks and control which belong to the constitution and to the people.

"The constructive powers being auxiliary to the specifically granted powers, and depending for their sanction and existence upon a necessity to give effect to the latter, which necessity is to be sought for and ascertained by a sound and honest discretion, it is manifest that this necessity *may not be perceived, at one time, under one state of things, when it is perceived at another time, under a different state of things.* The constitution, it is true, never changes; it is always the same; but the force of circumstances and the lights of experience may evolve to the fallible persons charged with its administration, the fitness and necessity of a particular exercise of constructive power to-day, which they did not see at a former period.

"Mr. Clay proceeded to remark, that when the application was made to renew the old charter of the bank of the United States, such an institution did not appear to him to be so necessary to the fulfilment of any of the objects specifically enumerated in the constitution, as to justify Congress in assuming, by construction, a power to establish it. It was supported mainly upon the ground that it was indispensable to the treasury operations. But the local institutions in the several states were at that time in prosperous existence, confided in by the community, having a confidence in each other, and maintaining an intercourse and connexion the most intimate. Many of them were actually employed by the treasury to aid that department, in a part of its fiscal arrangements; and they appeared to him to be fully capable of affording to it all the facility that it ought to desire in all of them. They superseded, in his judgment, the necessity of a national institu-

tion. But how stood the case in 1816, when he was called up again to examine the power of the general government to incorporate a national bank? A total change of circumstances was presented—events of the utmost magnitude had intervened.

"A general suspension of specie payments had taken place, and this had led to a train of consequences of the most alarming nature. He beheld, dispersed over the immense extent of the United States, about three hundred banking institutions, enjoying in different degrees the confidence of the public, shaken as to them all, under no direct control of the general government, and subject to no actual responsibility to the state authorities. These institutions were emitting the actual currency of the United States —a currency consisting of a paper, on which they neither paid interest nor principal, while it was exchanged for the paper of the community, on which both were paid. He saw these institutions in fact exercising what had been considered, at all times, and in all countries, one of the highest attributes of sovereignty, the regulation of the current medium of the country. They were no longer competent to assist the treasury in either of the great operations of collection, deposite, or distribution, of the public revenues. In fact, the paper which they emitted, and which the treasury, from the force of events, found itself constrained to receive, was constantly obstructing the operations of that department. For it would accumulate where it was not wanted, and could not be used where it was wanted for the purposes of government, without a ruinous and arbitrary brokerage. Every man who paid or received from the government, paid or received as much less than he ought to have done as was the difference between the medium in which the payment was effected and specie. Taxes were no longer uniform. In New England, where specie payments have not been suspended, the people were called upon to pay larger contributions than where they were suspended. In Kentucky as much more was paid by the people in their taxes than was paid, for example, in the state of Ohio, as Kentucky paper was worth more than Ohio paper.

* * * * * * * *

"Mr. Clay said, he determined to examine the question with as little prejudice as possible arising from his former opinion. He knew that the safest course to him, if he pursued a cold, calculating prudence, was to adhere to that opinion, right or wrong. He was perfectly aware, that if he changed, or *seemed* to change it, he should expose himself to some censure. But, looking at the subject with the light shed upon it by events happening since the commencement of the war, he could no longer doubt. A bank appeared to him not only necessary, but indispensably necessary, in connexion with another measure, to remedy the evils of which all were but too sensible. He preferred to the suggestions of the

pride of consistency, the evident interests of the community, and determined to throw himself upon their candor and justice. That which appeared to him in 1811, *under the state of things then existing*, not to be necessary to the general government, seemed now to be necessary, *under the present state of things*. Had he then foreseen what now exists, and no objection had lain against the renewal of the charter other than that derived from the constitution, he should have voted for the renewal.

"Other provisions of the constitution, but little noticed, if noticed at all, in the discussions in Congress in 1811, would seem to urge that body to exert all its powers to restore to a sound state the money of the country. That instrument confers upon Congress the power to coin money, and to regulate the value of foreign coins; and the states are prohibited to coin money, to emit bills of credit, or to make anything but gold and silver coin a tender in payment of debts. The plain inference is, that the subject of the general currency was intended to be submitted exclusively to the general government. In point of fact, however, the regulation of the general currency is in the hands of the state governments, or, which is the same thing, of the banks created by them. Their paper has every quality of money, except that of being made a tender, and even this is imparted to it by some states, in the law by which a creditor must receive it, or submit to a ruinous suspension of the payment of his debt. It was incumbent upon Congress to recover the control which it had lost over the general currency."

In the above citations are seen the ground which Mr. Clay occupied on the bank question, in 1811, and that occupied by him in 1816, and ever since. At the former period he labored somewhat haltingly on the constitutional argument, and one of the pleasantest, if not the most forcible illustrations he then presented, is the following:—

"A bank is made for the ostensible purpose of aiding in the collection of the revenue, and while it is engaged in this, the most inferior and subordinate of all its functions, it is made to diffuse itself throughout society, and to influence all the great operations of credit, circulation, and commerce. Like the Virginia justice, you tell the man whose turkey had been stolen, that your books of precedent furnish no form for his case, but that you will grant him a precept to search for a cow, and when looking for that he may possibly find his turkey! You say to this corporation, we can not authorize you to discount, to emit paper, to regulate commerce, &c. No! our book has no precedents of that kind. But then we can authorize you to collect the revenue, and, while occupied with that, you may do whatever else you please!"

But on the point of constitutionality, Mr. Clay was not very confident at that time, and he admits in 1816, that "he should have voted for the renewal, had he *then* foreseen what *now* exists." A total change had come over the monetary system of the country, and that state of things which, in 1811, did not seem to Mr. Clay to make a national bank "necessary and proper"—such being the language of the constitution—had, in 1816, given place to an entirely different state of things, as described by Mr. Clay, in the above extracts, which, in his view, DID render such an institution "necessary and proper" to carry out the other powers given to Congress by the constitution; or, as that instrument itself expresses it, in two *general* and comprehensive powers, one as the introduction to, and the other as the conclusion of, certain and numerous *specific* powers: "Congress shall have power to provide for the common defence and general welfare of the United States," and "to make ALL laws which shall be NECESSARY AND PROPER for carrying into execution the foregoing powers, and all OTHER powers vested by this constitution in the government of the United States." Of course, as Mr. Clay intimates, the use of "a sound and honest discretion" is implied in such language, and that which is "NECESSARY may not be perceived at one time, under one state of things, when it is perceived at another time, under a different state of things." In 1811, the NECESSITY of a national bank was not so apparent; in 1816, it was regarded by Mr. Clay, and those who acted with him, as IMPERATIVE.

After the country had endured four years of the worst currency ever experienced since the adoption of the constitution, down to the era of the tariff of 1842, comprehending the interval between the expiration of the charter of the first bank of the United States and the establishment of the second, the republican or democratic party, with Mr. Madison at their head, by a strong and decided expression of feeling and of votes—80 to 71 in the house, and 22 to 12 in the senate—against the federalists, who for the most part voted against it, reincorporated the bank for another twenty years. It was on this occasion that Mr. Clay came out as the advocate of this institution, in the manner and for the reasons already exhibited in his own words. In the same extracts is also presented the deplorable state of the currency, which led to the adoption of this measure. Mr. Madison, and all the republicans, alias democrats, of that day, who had felt scruples as to the constitutionality of the act, yielded to the NECESSITIES of the country, and took

shelter under AUTHORITY. Mr. Calhoun brought in the bill, and supported it. It was a republican or democratic measure, and Mr. Clay was one of the leaders. No other member, probably, had an equal influence in the house of representatives. His position as speaker of that body is a sufficient indication of his social influence, not to speak of his previous history as a statesman.

As no bank, or banks, can make money, or supply the defects of an inadequate tariff by bringing money into the country, it is a sufficient praise of the effects consequent on the reincorporation of the bank of the United States, that it immediately brought order out of confusion, re-established confidence, and helped the nation along, till the tariff of 1824 began to restore funds to the country after which everything went on swimmingly, till the United States bank was again wound up in consequence of the veto of President Jackson. The tariff of 1842 has once more supplied funds for a currency, and according to the doctrine advanced in another chapter, it is impossible that the means of a currency, that is, money, should be wanting, so long as the tariff is adequate to prevent more money going out of the country than comes in. Whether the currency, as to its FORM, shall be supplied and regulated by state banks alone—it is taken for granted that banks will not be dispensed with —or whether the federal government shall assert its right and duty to have to do with it, is a question still open for debate. While the currency is good and sufficient, the mass of the people will not trouble themselves about this question; but statesmen, who are bound to understand the complicated machinery of political economy, and to look into its profound secrets, can not repose without concern on a mere superficial calm, that is the effect of a present prosperity and abundance. So long as the people are supplied with a currency that answers all their present purposes, they do not inquire, nor is it possible for them to know, whether it is furnished by agencies that may be trusted to any extent; whether the system is guarded by all the necessary checks and balances; or whether, for want of a balance-power, it is rising and spreading, to topple on its foundations, and finally to fall with a crash that will overwhelm the community with disaster. It is for those who understand the subject, for the faithful sentinels of the public, to give notice of any harm that may be impending, and to show the reasons why they apprehend it. That the state authorities, through the medium of state corporations, which are their creatures, ought not to be the sole agents to supply and regulate the currency of

the country, would seem to be a very credible proposition. Every one feels, on reading the federal constitution, that the instrument intended, that the general government should have some hand in this business, and that it is proper; that it should at least exert an influence equal to a balance-power, to prevent the states from erecting an overgrown monetary system, to fall by its own weight, and from blowing up bubbles, to dazzle by their promise, and disappoint by bursting.

A sage and quaint writer, after citing the old adage, that experience is the best schoolmaster, gives this additional advice, *that it doth charge high wages.*

It appears by the letter of the secretary of the treasury (House Doc. No. 111, second session, Twenty-sixth Congress), that the increase of banks from 1820 to 1830, was only 22, and the increase of bank capital, for the same period, only $8,000,000. During this time the influence of the national bank, or some other cause, kept the unhealthy growth of state banks in check. But, behold the change! From the same document, it appears that the increase of banks, from 1830 to 1840, was 392 (including branches, 571), and that the increase of banking capital for the same period, was $213,000,000! It also appears, that this rapid increase did not begin till the fate of the national bank was sealed by General Jackson's veto.

A large portion of these banks failed, and the capital vanished, as might have been expected. The losses on bank circulation and deposites amounted to $54,000,000, and the losses on bank capital to $248,000,000—in all, to *three hundred and two millions of dollars!* All this by state banks. Not a cent was ever lost by a national bank. Verily, experience *doth* charge high wages.

The motives of President Jackson, in vetoing the bank bill of 1832, will become more and more apparent, as history opens the plan, in the execution of which he unsettled the commercial habits of the nation, and brought about a derangement and general breaking up of the currency. It was made a subject of complaint by the partisans of the president, when the bill of 1832 was brought in, that it was premature. The insincerity of this protest was instantly shown by Mr. Clay, by calling attention to the facts, that the president himself had specially and pointedly invoked the action of Congress on the subject, in his annual messages of 1829, 1830, and 1831—that is, at the opening of every session of Congress, after his advent to power. During the progress of the bill, an extraordinary investigation into the administration of the bank

was ordered, with a view to impair public confidence, but without result. It is singular, that each one of the reasons assigned by General Jackson, as objections to the bill, vanished upon scrutiny, thereby indicating, that the real motives were out of sight. He expressed himself, that the precedents drawn from the history of the proceedings of Congress, as to the constitutional power to establish a bank, were neutralized by there being two for and two against the authority; whereas, in the instance of 1811, the bill passed in the house, and was lost in the senate by the casting vote of the vice-president; but it was known, at the same time, that on the constitutional question, the senate stood 21 in favor of the power, and that some of the remaining 13 were doubtful. As to the bill of 1815, that too was lost in the house by the casting vote of the speaker (Mr. Cheves); but the objections that prevailed were not constitutional. They arose out of the structure of the bill. Not one Congress, from the commencement of the government, had been opposed to a bank on constitutional grounds.

That foreigners were interested in the stock, was not a reason becoming a statesman, who must know that anybody, in any part of the world, might trade in stock that is in the market, as bank stock always is; much less did such a reason become a statesman, at the head of a government, which ought to take care, that it should not be necessary for the stocks of the country to go into foreign markets to settle the balances of trade; and still less did such a reason become a statesman, who ought to know, that the capital of foreigners, vested in the country, would more naturally add to its commercial and political strength, than to its detriment. It might, perhaps, enter into the argument of a demagogue. The same amount of stock, said to be owned by foreigners, eight millions, would still remain in the country in some other form; or, if it should be remitted, it would so far cripple the currency and impoverish the country.

That the interests of the great west required this course of treatment, might have been left for the west to determine. The question was, whether they should be called upon, unexpectedly, to pay up thirty millions of principal, which they owed the bank of the United States, and be themselves wound up in bankruptcy; or whether they should be allowed to trade on, and pay interest out of the profits of their business, which they could afford, and which was the object of both parties in the loans? But General Jackson took upon himself to decide this question, and wound them all up

in bankruptcy, with the comforting assurance, that he thought their interests required it!

General Jackson's *finale* of reasons in this veto message, was, that, if the executive had been called upon for the project of a bank, the duty would have been cheerfully performed. It is true, this was inverting the order of the constitution, and like as in France, under the old regime, assigning the INITIATIVE of the laws to the king, and forbidding that any should be passed, except such as had been first presented to the legislature by the crown. But, so the constitution be called into service, what matter, whether it be taken right or wrong end foremost, especially while it was in such safe hands as the executive? It will appear by-and-by what the executive project was. It is true the constitution authorizes the president to propose *objects* of legislation; but it remains to be discovered, wherein it invites him to bring forward the *organic forms* of law.

The president, in this veto message, spoke of "an investigation *unwillingly* conceded [the investigation into the administration of the bank] and so restricted in time as necessarily to make it incomplete and unsatisfactory, disclosing enough to excite suspicion and alarm."

"Allow me, [said Mr. Clay] to ask how the president has ascertained that the investigation was *unwillingly* conceded? I have understood directly the contrary; and that the chairman, already referred to, as well as other members in favor of the renewal of the charter, promptly consented to and voted for the investigation. And we all know that those in support of the renewal could have prevented the investigation, and that they did not. But suspicion and alarm have been excited! SUSPICION AND ALARM! Against whom is this suspicion? The house, or the bank, or both?

"Mr. President, I protest against the right of any chief magistrate to come into either house of Congress, and scrutinize the motives of its members; to examine whether a measure has been passed with promptitude or repugnance; and to pronounce upon the willingness or unwillingness with which it has been adopted or rejected. It is an interference in concerns which partake of a domestic nature. The official and constitutional relations between the president and the two houses of Congress, subsist with them as organized bodies. His action is confined to their consummated proceedings, and does not extend to measures in their incipient stages, during their progress through the houses, nor to the motives by which they are actuated. There are some parts of this message that ought to excite deep alarm; and that especially in which the president announces that each public officer may interpret the con

stitution as he pleases. His language is: 'Each public officer, who takes an oath to support the constitution, swears that he will support it as he understands it, and not as it is understood by others. * * * The opinion of the judges has no more authority over Congress than the opinion of Congress has over the judges; and *on that point the president is independent of both.*' Now, Mr. President, I conceive, with great deference, that the president has mistaken the purport of the oath to support the constitution of the United States. No one swears to support it *as he understands it*, but to support it simply as it is in truth. All men are bound to obey the laws, of which the constitution is the supreme; but must they obey them as they are, or *as they understand them?* If the obligation of obedience is limited and controlled by the measure of information; in other words, if the party is bound to obey the constitution only as he understands it, what would be the consequence? The judge of an inferior court would disobey the mandate of a superior tribunal, because it was not in conformity to the constitution, *as he understands it;* a custom house officer would disobey a circular from the treasury department, because contrary to the constitution, *as he understands it;* an American minister would disregard an instruction from the president, communicated through the department of state, because not agreeable to the constitution, *as he understands it;* and a subordinate officer in the army or navy, would violate the orders of his superior, because they were not in accordance with the constitution, *as he understands it.* We should have nothing settled, nothing stable, nothing fixed. There would be general disorder and confusion throughout every branch of administration, from the highest to the lowest officers—universal nullification. For what is the doctrine of the president but that of South Carolina applied throughout the Union? The president independent both of Congress and the supreme court! only bound to execute the laws of the one and the decisions of the other, so far as they conform to the constitution of the United States, *as he understands it!* Then it should be the duty of every president, on his installation into office, carefully to examine all the acts in the statute-book, approved by his predecessors, and mark out those which he was resolved not to execute, and to which he meant to apply this new species of veto, because they were repugnant to the constitution *as he understands it.* And, after the expiration of every term of the supreme court, he should send for the record of its decisions, and discriminate between those which he would, and those which he would not, execute, because they were or were not agreeable to the constitution, *as he understands it.*"

Mr. Clay concluded his speech on this occasion, July 12, 1832 with the following melancholy reflections:—

"Mr. President, we are about to close one of the longest and most arduous sessions of Congress under the present constitution, and when we return among our constituents, what account of the operations of their government shall we be bound to communicate? We shall be compelled to say, that the supreme court is paralyzed, and the missionaries retained in prison in contempt of its authority, and in defiance of numerous treaties and laws of the United States; that the executive, through the secretary of the treasury, sent to Congress a tariff bill which would have destroyed numerous branches of our domestic industry, and tending to the final destruction of all; that the veto has been applied to the bank of the United States, our only reliance for a sound and uniform currency; that the senate has been violently attacked for the exercise of a clear constitutional power; that the house of representatives have been unnecessarily assailed; and that the president has promulgated a rule of action for those who have taken the oath to support the constitution of the United States, that must, if there be practical conformity to it, introduce general nullification, and end in the absolute subversion of the government."

It has been suggested, that the baseless reasons assigned in the veto message on the bank bill of 1832, for the renewal of the charter of that institution, argued motives OUT OF SIGHT. It is the province of history to inquire into the motives of men who have been prominent and leading agents in great events, and in the accomplishment of momentous results; and it is a recognised rule of evidence, common and judicial, that motives are to be inferred from conduct. Errors may result from the application of this rule, and it ought doubtless to be used with caution and allowance. But it is neither required, nor possible, to dispense with it.

The war of General Jackson on the currency system of the United States, such as he found it when he came into power, and the disastrous results which flowed from it, in connexion with the history of the attempt to establish an independent or sub-treasury, demand the most thorough and rigid scrutiny, not less for the future use of statesmen, than for the well-being of the republic. It was an aim at a fundamental, complete, and radical revolution in the commercial habits of the people, without consulting them. It was, indeed, never accomplished, for that was impossible. Nothing but a miracle could do it. Changes were forced upon the community; society was convulsed to its foundations; the great mass was upheaved as by the throes of an earthquake; steeples toppled on their bases; fearful chasms yawned in sight of the terror-stricken multitude; a continent was rocked; millions were

destroyed; and a nation was scarcely saved. Nevertheless, the revolution contemplated, was not effected. That can never be.

Some, no doubt, will be surprised, when the history of MOTIVES in these transactions, is unveiled. The evidence in the case, as in all such cases, is that of probability—presumption—arising from certain known facts. Men, devoted to an object which they dare not promulge, do not wear the announcement of their purposes, written on their foreheads.

In the first place, it will not be denied, that Andrew Jackson was a man of IRON WILL—disposed to have his own way—propense to despotism. Friends and enemies agree in this. It is marked indelibly on the history of his life. He cherished none who would not minister to this appetite, and acknowledge him as chief. Servility was the homage he demanded—not acquiescence. There was no independence of judgment, within the sphere of his influence, on questions which belonged to him, or which he thought proper to take in hand. He wanted TOOLS—not a MASTER.

It will also probably be admitted, that Martin Van Buren had more influence with General Jackson, during his [the general's] administration, than any other man. It is then pertinent to the purpose now in view, to call attention to a somewhat remarkable chapter of political history in the state of New York.

It was very naturally expected, when Mr. Van Buren and his party rose to power in the state of New York, 1829, that, having been the denouncers of banks, they would rather abridge the system, than enlarge it. After the governor's [Mr. Van Buren's] message had recommended to the legislature Judge Forman's plan of banking, and that plan was reported on, the public were somewhat surprised to find in the report of the bank committee the following language:—

"The system of paper credit has now become indispensable to all commercial countries. It is the most powerful agent known to the world in generating the wealth and prosperity of a nation. In great exigencies, it, by its timely assistance, often delivers governments from embarrassments and danger." Again: "A paper circulation as to all objects of commerce, is a positive increase of capital." Again: "Banks in this country have been productive of the greatest advantages."

The plan of banking, heralded by this favorable report, was the safety-fund system—a somewhat captivating name, though not, perhaps, when thoroughly sifted, quite so safe as was originally

promised. For example, in 1834, when the liabilities of the safety-fund banks of New York, exclusive of capital stock, were $34,000,000, the safety fund, alias the security, was only $289,000; and for several years that fund has been in a minus quantity. That mode of security is not otherwise a positive vice, than as being deceptive. It is good for what it amounts to, and may answer tolerably in prosperous times; but, in a hard trial of a banking system, or in a general crash, as has sometimes happened, it is good for nothing. But it was blown into favor on the advent of Mr. Van Buren, as governor of New York; and in six years after the system was established, SIXTY-SIX banks were chartered on this basis! The previous number of the banks in the state, was nominally forty; several of which, however, were broken and unsound. These forty banks were a half century coming into existence, and did not average one a year; whereas, the Van Buren administration the first year renewed the charters of SIXTEEN old banks, and created TWELVE new ones! TEN more were created the next session of the legislature; TEN again the next thereafter; AND SO ON! This, for an anti-bank party, was doing business.

But the secret is not told. It had been customary to require a bonus to the state, of a new bank, and for new charters; but Mr. Van Buren, in his message of 1829, recommended, that thereafter no bonus should be required. The average premium arising from the advance of stock above par, was ten per cent., which on a capital of $12,850,000—that being the whole capital of these new banks—amounted to $1,285,000. The way this bonus of $1,285,000, was disposed of, may be accounted for by a consideration of Mr. Stephen Allen's project of a Tammany bank, in 1832, which he calculated would yield the Tammany society $19,000, without a penny's investment; and by the following evidence given in the New York circuit court, July 6, 1827, by Joseph D. Beers, a celebrated broker, on the trial of Jacob Barker:—

"'Did you ever sell stock on contract, and sell it without owning it?'—'Yes, frequently.'—'To what amount?'—'Not very large at any one time.'—'Do others do it?'—'Yes.'—'Is it a common practice among brokers and stock-dealers?'—'It is: sometimes to large amounts.'—'Say three or four hundred thousand dollars?'—'Yes.'—'Whether the amount be large or small, is it like other business, only the difference between a wholesale and retail dealer?'—'That is all.'—'Are not such contracts entirely regulated by the prospect of profit?'—'I make no other cal-

culation, than whether or not I can fulfil to advantage.'—'Is it not very common to settle such contracts by paying or receiving the difference without there being any stock received or delivered?' —'It is very common to settle in that way.' "

It is unnecessary to say, that it was perfectly easy, in the way suggested by Mr. Allen's project for a Tammany bank, and by Mr. Beers' evidence, as above, to distribute this bonus of $1,285,000 among political associates, and for political objects, in the state of New York, and that all the business might be done on change, with no other use of money than for the nominal and privileged holders of the stock to pocket the difference between par and ten per cent. above par; and they must have been more simple than some recent developments indicate, if they did not embrace the opportunity. As Mr. Allen said, when he proposed to establish a Tammany bank of half a million, "my opinion, you no doubt know, is in opposition to these banking monopolies;" so it was well known, that Mr. Van Buren's opinion ran the same way, when, in 1829, he started afresh the manufacture of banks in the state of New York, turning out a batch of twenty-eight the first year, and an average of ten a year thereafter, till he and his party obtained a very handsome bonus as above, for their political objects—the bonus, by recommendation of the governor, as before seen, being kept back from the state, and applied to what were doubtless regarded, by those who used it, more important and more worthy objects. Probably the reason why Mr. Allen's project of a Tammany bank did not prevail, was, that it would be drawing aside the veil too much, whereby all the rest would chance to be seen. Besides, in that case, the mouth of Tammany would have been shut.

There is another material fact, as reported and believed, worthy of notice in this place, in the history of the New York state banks, to wit, that contemporaneously with the events above noticed, the old banks found themselves annoyed by unexpected runs upon them for specie, and that while laboring under these inconveniences, hints were passed to them, that, by appointing such and such directors, they would be relieved. The new banks were of cours all furnished with suitable directors. In this way, it is averred, that the whole banking system of the state of New York, from one of the bank parlors of Albany, was brought under the sway of the dominant political party, and forced to minister to their occasions.

It can not be denied, that, of all men in the world, they who had accomplished such an achievement, were best qualified to

know the power of banks as political engines, and to declaim against them when it should answer their purpose, as an enormity in the social state. Who was better qualified than Mr. Van Buren, when transferred to the state department at Washington, to give advice to the president of the United States on this subject? "Do you not see, sir, how admirably this system works in the state of New York? We govern the state by the banking system there, and force the banks (alias, the people) to pay all the costs of our party in maintaining our ascendency. You have only to adopt the same system with the bank of the United States, get such directors and presidents of the branches as are most suitable, and gradually bring the parent institution under the same discipline, and the politics of the nation will ever afterward be at command."

There is no positive evidence, that such counsel was ever given, or adopted, with such a view. But it would be singular, if it were not thought of, and more strange, considering what is known of the parties, and of the contemporaneous history of banking in the state of New York, if such a plan were not actually agreed upon. The very thing that would be expected to follow, came to pass. In 1829, General Jackson undertook to remove and appoint officers of the bank of the United States, and began with Jeremiah Mason, president of the branch bank of Portsmouth, New Hampshire. It appears, however, the aim being apparent, that there was too much probity, even in the bank of the United States, to consent to be made subservient to the political designs of a party in power, and the movement was resisted and thwarted on the threshold. Better, perhaps, for the bank, if it had yielded; but it did not yield, and its doom was sealed from that hour.

They who choose to ascribe to General Jackson patriotic motives in falling in with this supposed project, are at liberty to do so; but none, who understand his character, will deny that he desired and aimed to have everything under his control; and what more important to an ambitious chief of the nation, than to get the bank of the United States under his thumb? Was it morally possible for a man of General Jackson's known temperament, to be contented, till he had accomplished that object, if he had once conceived it? And what shall be deemed evidence that he ever undertook it? Precisely that species of conduct which is alleged to have been practised in the state of New York, for the attainment of a kindred object, and which is believed to have been so successful; and that evidence is furnished.

Mr. Clay, in his speech on the sub-treasury scheme, of February 10, 1838, has noticed this event as follows:—

"I have heard his [General Jackson's] hostility to banks, ascribed to some collision which he had with one of them, during the late war, at the city of New Orleans: and it is possible that may have had some influence upon his mind. The immediate cause, more probably, was the refusal of that perverse and unaccommodating gentleman, Nick Biddle, to turn out of the office of president of the New Hampshire branch of the bank of the United States, at the instance of his excellency Isaac Hill, in the summer of 1829, that giant-like person, Jeremiah Mason—giant in body, and giant in mind. War and strife, endless war and strife, personal or national, foreign or domestic, were the aliment of the late president's existence. War against the bank, war against France, and strife and contention with a countless number of individuals. The wars with Black Hawk and the Seminoles were scarcely a luncheon for his voracious appetite. And he made his exit from public life, denouncing war and vengeance against Mexico and the state banks."

It is charitable to suppose, that General Jackson had not the remotest conception of the tremendous calamities he was preparing for the country, in the vengeance he resolved on against the bank of the United States, for this heinous disregard of his will. No one will probably ever accuse him of having been endowed with such perspicacity. It is the consequences which this vengeance led to, and not the destruction of the bank, that is so much to be deplored. The latter was a trifle, and scarcely worthy of notice. With an adequate protective policy, the country can possibly do without a national bank. It can at least try. If the state banks can be kept within safe bounds, without a national institution to act as a balance-power in checking their excesses, a national bank is not essential. But, it was war on the currency system of the whole country, and on its protective policy, which followed in the train of this war against the bank of the United States, and brought disasters incalculable, and almost without end, upon the nation. It was the great plan immediately formed, after this disappointment, to revolutionize the entire monetary and commercial system of the United States, in the establishment of a GOVERNMENT BANK, under the guise of an INDEPENDENT TREASURY, which brought desolation and wo upon the land. That IRON WILL could never bend—MUST RULE. Since it could not bring the bank of the

United States under its control, it resolved to remove all other banks out of the way, and have one of its own.

It is to be observed, however, that the plan of the subtreasury was not matured, till that of establishing a new national bank in the city of New York, under the control of the partisans of the administration—who, on the principle of the New York state system, before noticed, expected to realize at least a two-million bonus, for private and political objects—had failed. The evidences of this plan are so abundant and notorious, as not to require specification.

From the time when this fatal resolution of war on the currency began to take effect on the great interests of the country, till the people came to the rescue in 1840, the history of the republic is one of uninterrupted, wide-spread, overwhelming calamity. This, and the war on the protective policy, and on all the commercial habits of the nation, was one of plan and of time. A great and strong people, in the full tide of prosperity, can not be easily broken down by measures of government, however hostile to their interests, however destructive in their tendency. "He [General Jackson] killed off the institutions of the country in detail," says the Hon. John M. Clayton, "always selecting the weakest first, destroying that with the aid of the friends of the others, before he ventured to announce any hostility to the latter, and never attacking the strongest, until the friends of the weaker measures, which had been victimized, became powerless. His first attack was upon the internal improvement system. The bank's turn came next. Within six months after that, he made war on the tariff."

These demonstrations, by the alarm which they excited, began immediately to affect the country, though they did not so soon reach the great body of the people. The impetus of public prosperity, which the tariff of 1824 had imparted to the nation, could not be instantly arrested. It was a great and mighty volume of the business and trade of a great people, rolling up wealth in heaps and mountains, and it was not till nearly the close of General Jackson's administration, that the effects of his destructive measures began to be seriously felt. The veto of the bank bill, in 1832, was a shock under which the whole nation staggered; but it was then too strong to fall. The removal of the public deposites, in October, 1833, in the face of a resolution of Congress intended as a damper for the half-revealed purpose, and against the remonstrances of his own party, stunned the public mind, like

the effect of the first blow on the head of a bullock that is doomed to the slaughter. It also produced great and extensive distress. It was on the occasion of introducing a resolution in the senate to rebuke this extraordinary assumption of power, that Mr. Clay said: "We are in the midst of a REVOLUTION!" Petitions from all parts of the country poured into Congress, praying for relief. But General Jackson had taken the people captive, was in the zenith of his power, and his iron will, still bent on the execution of his fell purposes, knew no sympathy for a suffering public. He had been thwarted. He must be REVENGED. It has been charitably allowed, that he was not aware of the devastation he was bringing upon the country, not being able, from want of skill as a statesman, to foresee the effects of his own measures.

The next great error, planned in equal ignorance of its unavoidable result, but designed to atone for the public dissatisfaction so extensively expressed, was a bait thrown out to the people and the states, in the double form of loaning the public deposites to private enterprise, and recommending the bestowment of the surplus funds of the national treasury on the states, for their use and benefit. The seductive influence of this temptation to all these parties, was unfortunately but too effective. The people launched forth into the wildest schemes of speculation; importers flooded the country with foreign goods; states, in anticipation of the surplus funds, projected internal improvements on the largest scale, sent their bonds to the European market, the proceeds of which were remitted in goods, and the funds for home consumption were drawn from banks of home manufacture, which, by scores and hundreds, under the same stimulus, had sprung into existence, without capital; the whole face of the country was checkered with new and well-*mapped* towns and cities; property everywhere rose to an unnatural price; extravagance, in all conditions of life, was the order of the day; and the nation ran mad with the idea, that all this was substantial, and could never end. It need not now be said, that it was *all forced*. It is equally unnecessary to say—for all will see it—that this state of things was produced by unsettling the old commercial habits of the people, by destroying the old system of currency, and introducing a new and fictitious one, and by captivating the nation with bubbles of credit, doomed to burst.

When the people and states were wrought up to this intense pitch of excitement and expectation, and more than twenty millions a year were flowing into the national treasury from the sales of the

public lands, and at the very moment when, in consequence of these stimulants administered by the seductive measures of the government, a balance of sixty millions in foreign parts had accumulated against the importing cities, the people were thunderstruck with an order from the treasury, the effect of which was to remove the specie from the Atlantic border, where it was most wanted, to the far west, where it was not wanted. THE NATION WAS RUINED! Even without this order, it would have been difficult for the people to stand up, after such a season of intoxication. When it came, they were PROSTRATE. The work of destruction, which began with the veto of the bank bill, in 1832, was consummated by the specie circular of 1836. There was no more to be done, no more to be hoped for, till the nation, come to its senses, should rise, and save itself, as it attempted, and partially accomplished, in 1840. What patriot, what man, that lived through that fearful period, to know what it was, by some taste of its calamities, can look back upon it, without shuddering at the perils through which the country was doomed to pass?

CHAPTER II.

THE CURRENCY.

Mr. Van Buren's Accession.—The Extra Session of 1837.—The Sub-Treasury.—Its Failure at the Extra Session.—Subsequent Debate on the Message.—Mr. Clay's Views of it.—His Examination of the Gradual Opening of General Jackson's Scheme of a Government Bank.—Mr. Clay's Argument in 1838, and his Warning on the Passage of the Bill in 1840.—Mr. Van Buren's Servility proves his Destruction.—Capital and Labor.—The Philosophy of Currency.

Mr. Van Buren came into power, in 1837, to "tread in the footsteps of his illustrious predecessor." In less than three months after his accession, the banks, unable to hold out any longer, suspended. The work of destruction was now complete. All that had been resolved on, was accomplished, with one exception. The bank of the United States was destroyed, and all the banks of the country were under the feet of the president. The currency was destroyed, the protective policy was crippled, manufactures drooped and the establishments were tumbling in ruins, every species of property had depreciated to a mere nominal value, thousands and tens of thousands who had supposed themselves rich, found themselves bankrupts, and sheriffs and their deputies were almost the only vocations worth pursuing. The spirit of the people was broken, and now was the time to fasten upon them that great project, which General Jackson conceived soon after he first quarrelled with the bank of the United States, to which all the measures of his administration looked and tended, and which was his undeviating aim, during the tremendous ordeal through which he had hurried the nation, to precipitate the final result.

All things being judged to be right for the measure, Mr. Van Buren called a special session of Congress in the autumn of 1837, and brought before them the scheme for an INDEPENDENT TREASURY, as he and his party denominated it, indicating the abstraction of DIVORCE OF BANK AND STATE. The opponents of the scheme have been accustomed to call it the SUB-TREASURY.

The project, however, was destined to encounter more formidable difficulties, than had been anticipated. The mandate of the chieftain had less force from the Hermitage, than from the chair of state. Though the will of his successor did not lack in obsequious fidelity, he could not roar like the lion himself. He was accused of being related to another species of the quadruped race, more cunning, and less generous. The bill failed, and Congress adjourned without result.

In the opening of Mr. Clay's speech on this occasion, September 25, 1837, he said:—

"No period has ever existed in this country, in which the future was covered by a darker, denser, or more impenetrable gloom. None, in which the duty was more imperative to discard all passion and prejudice, all party ties, and previous bias, and look exclusively to the good of our afflicted country. In one respect, and I think it a fortunate one, our present difficulties are distinguishable from former domestic trouble, and that is their universality. They are felt, it is true, in different degrees, but they reach every section, every state, every interest, almost every man in the Union. All feel, see, hear, know their existence. As they do not array, like our former divisions, one portion of the confederacy against another, it is to be hoped that common sufferings may lead to common sympathies and common counsels, and that we shall, at no distant day, be able to see a clear way of deliverance. If the present state of the country were produced by the fault of the people; if it proceeded from their wasteful extravagance, and their indulgence of a reckless spirit of ruinous speculation; if public measures had no agency whatever in bringing it about; it would, nevertheless, be the duty of government to exert all its energies, and to employ all its legitimate powers, to devise an efficacious remedy. But if our present deplorable condition has sprung from our rulers; if it is to be clearly traced to their acts and operations, that duty becomes infinitely more obligatory; and government would be faithless to the highest and most solemn of human trusts should it neglect to perform it. And is it not too true, that the evils which surround us are to be ascribed to those who have had the conduct of our public affairs?

"In glancing at the past, nothing can be further from my intention than to excite angry feelings, or to find grounds of reproach. It would be far more congenial to my wishes, that, on this occasion, we should forget all former unhappy divisions and animosities. But in order to discover how to get out of our difficulties, we must ascertain, if we can, how we got into them.

"Prior to that series of unfortunate measures which had for its object the overthrow of the bank of the United States, and the

discontinuance of its fiscal agency for the government, no people upon earth ever enjoyed a better currency, or had exchanges better regulated, than the people of the United States. Our monetary system appeared to have attained as great perfection as anything human can possibly reach. The combination of United States and local banks presented a true image of our system of general and state governments, and worked quite as well. Not only within the country had we a local and general currency perfectly sound, but in whatever quarter of the globe American commerce had penetrated, there also did the bills of the United States bank command unbounded credit and confidence. Now we are in danger of having fixed upon us, indefinitely as to time, that medium, an irredeemable paper currency, which, by the universal consent of the commercial world, is regarded as the worst. How has this reverse come upon us? Can it be doubted that it is the result of those measures to which I have adverted? When, at the very moment of adopting them, the very consequences which have happened were foretold as inevitable, is it necessary to look elsewhere for their cause? Never was prediction more distinctly made; never was fulfilment more literal and exact.

"Let us suppose that those measures had not been adopted; that the bank of the United States had been rechartered; that the public deposites had remained undisturbed; and that the treasury order had never issued; is there not every reason to believe that we should be now in the enjoyment of a sound currency; that the public deposites would be now safe and forthcoming, and that the suspension of specie payments in May last, would not have happened?

"The president's message asserts that the suspension has proceeded from over-action, over-trading, the indulgence of a spirit of speculation, produced by bank and other facilities. I think this is a view of the case entirely too superficial. It would be quite as correct and just, in the instance of a homicide perpetrated by the discharge of a gun, to allege that the leaden ball, and not the man who levelled the piece, was responsible for the murder. The true inquiry is, how came that excessive over-trading, and those extensive bank facilities, which the message describes? Were they not the necessary and immediate consequences of the overthrow of the bank, and the removal from its custody of the public deposites? And is not this proved by the vast multiplication of banks, the increase of the line of their discounts and accommodations, prompted and stimulated by Secretary Taney, and the great augmentation of their circulation which ensued?"

After exposing other unsound reasonings of the message especially the incorrect statement, that similar difficulties had occurred in Great Britain and Europe from the same causes—which

was not a fact—Mr. Clay proceeds to a specification of what he regards as the true causes:—

"Since the intensity of suffering, and the disastrous state of things in this country, have far transcended anything that has occurred in Europe, we must look here for some peculiar and more potent causes than any which have been in operation there. They are to be found in that series of measures to which I have already adverted:—

First, the veto of the bank;

Second, the removal of the deposites, with the urgent injunction of Secretary Taney upon the banks to enlarge their accommodations;

Third, the gold bill, and the demand of gold for the foreign indemnities;

Fourth, the clumsy execution of the deposite law: and

Fifth, the treasury order of July, 1836."

These points were severally established by Mr. Clay, in a general survey and detail of facts, with apposite proofs and illustrations. The following remarks, made by Mr. Clay on this occasion, are introduced here, not alone for their own inherent importance, but for the sake of some others growing out of the subject, which are deemed necessary to disabuse the public mind of errors of fact:—

"The message asserts that the bank of the United States, chartered by Pennsylvania, has not been able to save itself or to check other institutions, notwithstanding 'the still greater strength it has been said to possess under its present charter.' That bank is now a mere state or local institution. Why is it referred to more than the bank of Virginia, or any other local institution? The exalted station which the president fills forbids the indulgence of the supposition, that the allusion has been made to enable the administration to profit by the prejudices which have been excited against it. Was it the duty of that bank, more than any other state bank, to check the local institutions? Was it not even under less obligation to do so than the deposite banks, selected and fostered by the general government?

"But how could the message venture to assert, that it has greater strength than the late bank of the United States possessed? Whatever may be the liberality of the conditions of its charter, it is impossible that any single state could confer upon it faculties equal to those granted to the late bank of the United States—first, in making it the sole depository of the revenue of the United States; and, secondly, in making its notes receivable in the payment of all public dues. If a bank of the United States had existed, it would have had ample notice of the accumulation of public moneys in the local banks; and, by timely measures of precaution, it could

have prevented the speculating uses to which they were applied. Such an institution would have been bound by its relations to the government, to observe its appropriations and financial arrangement and wants, and to hold itself always ready promptly to meet them. It would have drawn together gradually, but certainly, the public moneys, however dispersed. Responsibility would have been concentrated upon it alone, instead of being weakened or lost by diffusion among some eighty or ninety local banks, dispersed throughout the country, and acting without any effective concert."

The very just rebuke administered by Mr. Clay, in the above extract, to Mr. Van Buren, for pandering in his message to prejudices sown and nourished for party purposes, will be appreciated. No man knew better than Mr. Van Buren, that the bank chartered by the state of Pennsylvania for its own state purposes, which very improperly took the name of the "Bank of the United States," to avail itself of the credit of that institution—thereby imposing upon the public, and making a great political party responsible for it—occupied precisely the same position as any other state bank, and was no more worthy of a special notice in the president's message. Ever since the failure of that bank, the same unfairness has labored to keep up the idea in the popular mind, that it was the failure of the national bank, after which it was fraudulently named. It would be equally proper to call the United States hotel in New York, or the United States eating-house in Washington, a NATIONAL INSTITUTION, and hold the government of the United States, or a political party, responsible for it. And yet, the fate of that institution in Philadelphia, is still pointed to as the downfall of the national bank. It was indeed true, that the president of the national bank—which had ceased to exist—was at the head of this bank; that the business of both was done in the same building, and the money kept in the same vaults; that much of the capital of the first was transferred to constitute the capital of the second; but a man would be scouted, that should pretend to identify one institution with the other. The faculties of this state bank, as in the case of many other state banks of that time, were perverted from banking to commercial functions, and it was ruined. But there was no such practice, and no such tendency, in the bank of the United States; nor is there any ground to believe, that its fidelity and strength, as a national institution, would have been impaired, if its charter had been renewed.

In January, 1840, while the sub-treasury bill was still pending,

Mr. Clay had occasion to make a similar reply to a like misstatement of Mr. Buchanan, as follows:—

"Mr. President, can the distinguished senator be serious in his description of these attributes of the Pennsylvania bank? Surely he must have intended that part of his speech for some other theatre. In the first place, Pennsylvania, besides sundry other onerous conditions of loans and subscriptions to objects of internal improvements, levied upon the present bank, in the form of bonus, some four or five millions of dollars. Then the general government has withdrawn from it the seven millions of stock which it held in the old bank—a circumstance which I have no doubt has tended to cripple its operations. And it is wholly without the deposites of the government, which the former bank possessed. Instead of being an ally, the general government has been in the relation of an enemy to it. And it has had to encounter all the enmity of a powerful party, within the bosom of the commonwealth. So far from assuming the office of a regulator of the local banks, its late distinguished president, upon whose authority the senator relies for proof of the extent and liberality of its new charter, expressly declared that it had ceased to be a general agent, and had retired within the circle of its state duties. So far from having derived any strength from its connexion with the late bank of the United States, there can not be a doubt that that connexion rendered it far less efficient than it would have been, if it had gone into operation with an unencumbered capital, freshly subscribed, of thirty-five millions of dollars."

Mr. Clay very justly notices in this speech the want of fidelity in the federal executive in carrying out the purposes of the compromise act, and shows the bad effects of hostility to that measure from the same quarter;—that this bad faith had its share of influence in producing the misfortunes of the country.

"But [said Mr. Clay] the cause of our present difficulties may be stated in *another way*. During the late administration [Jackson's] we have been deprived of the practical benefit of a *free government;* the forms, it is true, remained and were observed, but the essence did not exist. In a free, or self-government, the collected wisdom, the aggregate wisdom of the whole, or at least of a majority, moulds and directs the course of public affairs. In a despotism, the will of a single individual governs. In a practically free government, the nation controls the chief magistrate; in an arbitrary government, the chief magistrate controls the nation. And has not this been our situation in the period mentioned? Has not one man forced his will on the nation? Have not all these disastrous measures—the veto of the bank, the removal of the deposites, the rejection of the land bill, and the treasury order

—which have led to our present unfortunate condition—been adopted, in spite of the wishes of the country, and in opposition, probably, to those of the dominant party itself?

* * * * * * * *

"We are told, that it is necessary to separate, divorce the government from the banks. Let us not be deluded by sounds. Senators might as well talk of separating the government from the states, or from the people, or from the country. We are all—people, states, union, banks—bound up and interwoven together, united in fortune and destiny, and all, all entitled to the protecting care of a parental government. You may as well attempt to make the government breathe a different air, drink a different water, be lighted and warmed by a different sun, from that of the people! A hard-money government, and a paper-money people! A government, an official corps—the servants of the people—glittering in gold, and the people themselves, their masters, buried in ruin, and covered with rags!

"No prudent or practical government, will in its measures run counter to the long-settled habits and usages of the people. Religion, language, laws, the established currency and business of a whole country, can not be easily or suddenly uprooted. After the denomination of our coin was changed to dollars and cents, many years elapsed before the old method of keeping accounts, in pounds, shillings, and pence, was abandoned; and, to this day, there are probably some men of the last century who adhere to it. If a fundamental change becomes necessary, it should not be sudden, but conducted by slow and cautious degrees. The people of the United States have been always a paper-money people. It was paper money that carried us through the revolution, established our liberties, and made us a free and independent people. And, if the experience of the revolutionary war convinced our ancestors, as we are convinced, of the evils of an irredeemable paper medium, it was put aside only to give place to that convertible paper, which has so powerfully contributed to our rapid advancement, prosperity, and greatness."

The insecurity of the sub-treasury system as a depository of public funds, and the fearful increase of executive patronage consequent thereupon, are delineated by Mr. Clay with great truth and graphic power:—

"There stands the executive power, perpetuated in all its vast magnitude, undiminished, reasserted, and overshadowing all the other departments of the government. Every trophy which the late president won from them, now decorates the executive mansion. Every power, which he tore from a bleeding constitution is now in the executive armory, ready, as time and occasion may

prompt the existing incumbent, wherever he may be, to be thun dered against the liberties of the people.

"Whatever," said Mr. Clay, "may have been the motives of the course of others, I owe it to myself and to truth to say, that in deprecating the election of General Andrew Jackson, to the office of chief magistrate, it was not from any private considerations, but because I considered it would be a great calamity to my country; and that, in whatever opposition I made to the measures of his administration, which more than realized my worst apprehensions, I was guided solely by a sense of public duty. And I do now declare my solemn and unshaken conviction, that, until the executive power, as enlarged, extended, and consolidated by him, is reduced within its true constitutional limits, there is no permanent security for the liberties and happiness of this people.

"Pass this bill, and whatever divorce its friends may profess to be its aim, that perilous union of the purse and the sword, so justly dreaded by our British and revolutionary ancestors, becomes absolute and complete."

But the greatest objection, after all, arises from the fact, which could not be concealed, that in putting down one system of banking, known and tried, the sub-treasury, in its practical operation, as a substitute, must necessarily become a GOVERNMENT BANK of stupendous, ever-increasing, unlimited, alarming power, in the worst and most dangerous hands—worst because unsuitable, and most dangerous because of the motives to abuse and the lack of all restraint. The governing power would be IRRESPONSIBLE.

But the speech of Mr. Clay at the next and regular session of Congress, on this subject, delivered February 19, 1838, is deserving of special regard. The stupendous alteration proposed in the very structure of the government, to engraft upon it, and infuse through all its branches, a new and momentous power, had evidently lain with a heavy pressure upon his mind, during the recess, and since the bill had again been brought forward at this session. Never has Mr. Clay been known to rise on any public occasion, with such marked seriousness and solemnity, as at this time. His exordium was as follows:—

"I have seen some public service, passed through many troubled times, and often addressed public assemblies, in this capitol and elsewhere; but never before have I risen in a deliberative body, under more oppressed feelings, or with a deeper sense of awful responsibility. Never before have I risen to express my opinions upon any public measure, fraught with such tremendous consequences to the welfare and prosperity of the country, and so perilous to the liberties of the people, as I solemnly believe the bill

under consideration will be. If you knew, sir, what sleepless hours reflection upon it has cost me; if you knew with what fervor and sincerity I have implored divine assistance to strengthen and sustain me in my opposition to it, I should have credit with you, at least, for the sincerity of my convictions, if I shall be so unfortunate as not to have your concurrence as to the dangerous character of the measure. And I have thanked my God that he has prolonged my life until the present time, to enable me to exert myself in the service of my country, against a project far transcending in pernicious tendency any that I have ever had occasion to consider. I thank him for the health I am permitted to enjoy; I thank him for the soft and sweet repose which I experienced last night; I thank him for the bright and glorious sun which shines upon us this day.

"It is not my purpose, at this time, Mr. President, to go at large into a consideration of the causes which have led to the present most disastrous state of public affairs. That duty was performed by others, and myself, at the extra session of Congress. It was then clearly shown, that it sprung from the ill-advised and unfortunate measures of executive administration. I now will content myself, with saying that, on the fourth day of March, 1829, Andrew Jackson, not by the blessing of God, was made president of these United States; that the country was then eminently prosperous; that its currency was as sound and safe as any that a people were ever blessed with; that, throughout the wide extent of this whole Union, it possessed a uniform value; and that exchanges were conducted with such regularity and perfection, that funds could be transmitted from one extremity of the Union to the other, with the least possible risk or loss. In this encouraging condition of the business of the country, it remained for several years, until after the war, wantonly waged against the late bank of the United States, was completely successful, by the overthrow of that invaluable institution. What our present situation is, is as needless to describe as it is painful to contemplate. First felt in our great commercial marts, distress and embarrassment have penetrated into the interior, and now pervade almost the entire Union. It has been justly remarked by one of the soundest and most practical writers that I have had occasion to consult, that 'all convulsions in the circulation and commerce of every country must originate in the operations of the government, or in the mistaken views and erroneous measures of those possessing the power of influencing credit and circulation; for they are not otherwise susceptible of convulsion; and if left to themselves, they will find their own level, and flow nearly in one uniform stream.'

"Yes, Mr. President, we all have but too melancholy a conscious ness of the unhappy condition of our country. We all too well know, that our noble and gallant ship lies helpless and immoveable

upon breakers, dismasted, the surge beating over her venerable sides, and the crew threatened with instantaneous destruction. How came she there? Who was the pilot at the helm when she was stranded? The party in power! The pilot was aided by all the science and skill, by all the charts and instruments, of such distinguished navigators as Washington, the Adamses, Jefferson, Madison, and Monroe; and yet he did not, or could not, save the public vessel. She was placed in her present miserable condition by his bungling navigation, or by his want of skill and judgment. It is impossible for him to escape from one or the other horn of that dilemma. I leave him at liberty to choose between them."

The plan of this speech is laid out as follows:—

"I shall endeavor, Mr. President, in the course of the address I am about making, to establish certain propositions, which I believe to be incontestable; and for the sake of perspicuity, I will state them severally to the senate. I shall contend:—

"First, that it was the deliberate purpose and fixed design of the late administration to establish a government bank—a treasury bank—to be administered and controlled by the executive department.

"Secondly, that, with that view, and to that end, it was its aim and intention to overthrow the whole banking system, as existing in the United States when that administration came into power, beginning with the bank of the United States, and ending with the state banks.

"Thirdly, that the attack was first confined, from considerations of policy, to the bank of the United States; but that, after its overthrow was accomplished, it was then directed, and has since been continued, against the state banks.

"Fourthly, that the present administration, by its acknowledgments, emanating from the highest and most authentic source, has succeeded to the principles, plans, and policy, of the preceding administration, and stands solemnly pledged to complete and perfect them.

"And, fifthly, that the bill under consideration is intended to execute the pledge, by establishing, upon the ruins of the late bank of the United States, and the state banks, a government bank, to be managed and controlled by the treasury department, acting under the commands of the president of the United States.

"I believe, solemnly believe, the truth of every one of these five propositions. In the support of them, I shall not rely upon any gratuitous surmises or vague conjectures, but upon proofs, clear, positive, undeniable, and demonstrative. To establish the first four, I shall adduce evidence of the highest possible authenticity, of facts admitted or undeniable, and fair reasoning founded on them. And as to the last, the measure under consideration, I think

the testimony, intrinsic and extrinsic, on which I depend, stamps, beyond all doubt, its true character as a government bank, and ought to carry to the mind of the senate the conviction which I entertain, and in which I feel perfectly confident the whole country will share."

The first three of these propositions are established with great clearness and force, by citations from General Jackson's messages, beginning with the first, in 1829, and pursuing the gradual disclosure of this purpose in his public and official documents, during the term of his administration of eight years. As a part of an extended clause of reasoning on the subject, the project is fully brought out in the message of 1829: "I submit, whether a national one [bank], *founded upon the credit of the government and its revenues*, might not be devised," &c. In the message of 1830, he revives the subject in another extended paragraph, and, among other things, says: "It becomes us to inquire, whether it is not possible to secure the advantages afforded by the present bank, through the agency of a bank of the United States, *so modified in its principles*, as to avoid constitutional objections. It is thought practicable to organize such a bank, with the necessary officers, AS A BRANCH OF THE TREASURY DEPARTMENT," &c. In the message of 1831, he says: "Entertaining the opinions *heretofore* expressed, in relation to the bank of the United States, *as at present organized*, I felt it my duty, in my former messages, frankly to disclose them, in order that the attention of the legislature and the people should be seasonably directed to that important subject, and that it might be considered and finally disposed of, in a manner best calculated to promote the ends of the constitution, and subserve the public interests." In his veto message of 1832, he says: "I do not entertain a doubt, that a bank of the United States might be so organized, &c. Had the executive been called upon to furnish the *project of such an institution*, the duty would have been cheerfully performed." In the message of 1834, the war upon the state banks was commenced, by proposing a divorce of the government from all banks, and endeavoring to bring odium upon such institutions. In the message of 1835, this attack is yet more distinctly disclosed: "In considering the means of obtaining *so important an end*, we must set aside all calculations of *temporary convenience*. . . . We must recur to *first principles*, and see what it is that has prevented the legislation of Congress, *and of the states*, on the subject of the currency, &c. . . . I am sure I can not be

mistaken in ascribing our want of success to the *spirit of monopoly*. All the dangers which our system has yet encountered, may be traced to the resort to *implied powers, and the use of corporations clothed with privileges*. . . . We are now to see, whether, in the present favorable condition of the country, we can take an *effectual stand against this spirit*. . . . It is ascertained that the *management of the revenue* can be made auxiliary to reform. It has only to be fostered by proper *regulations on the part of Congress*, to secure a practical return, to the extent required for the security of the currency, to the constitutional medium."

Upon this message, Mr. Clay says :—

"As in the instance of the attack upon the bank of the United States, the approach to the state banks is slow, cautious, and insidious. He reminds Congress and the country, that all calculations of temporary convenience must be set aside; that we must recur to first principles; and that we must see what it is that has prevented the legislation of Congress, *and the states*, on the subject of the currency from satisfying public expectation. He declares his conviction, that the want of success has proceeded from the undue countenance which has been afforded to the spirit of monopoly. All the serious dangers which our system has yet encountered, may be traced to the resort to implied powers, and *to the use of corporations*. We have felt, he says, but one class of these dangers in the contest with the bank of the United States, and he clearly intimates that the *other* class is the state banks. We are now to see, he proceeds, whether in the present favorable condition of the country, we can not take an effectual stand against this spirit of monopoly. Reverting to his favorite scheme of a government bank, he says, it is ascertained, that, instead of being made necessary to promote the evils of an unchecked *paper system*, *the management of the revenue* can be made auxiliary to the reform which he is desirous to introduce. The designs of President Jackson against the state banks are more fully developed and enlarged upon in his annual message of 1836."

After quoting largely from the message of 1836, Mr. Clay says :—

"It is seen that he again calls the attention of Congress to the currency of the country, alleges that it was apparent, from the whole context of the constitution, as well as the history of the times that gave birth to it, that it was the purpose of the convention to establish a currency consisting of the *precious metals;* imputes variableness and a liability to inordinate contraction and expansion to the existing paper system, and denounces bank issues, as being an uncertain standard. He felicitates himself upon the dangers which

have been obviated by the overthrow of the bank of the United States, but declares that little has been yet done, except to produce a salutary change of public opinion toward restoring to the country, the sound currency *provided for in the constitution.* I will here say, in passing, that all this outcry about the precious metals, gold, and the constitutional currency, has been put forth to delude the people, and to use the precious metals as an instrument to break down the banking institutions of the states, and thus to pave the way for the ultimate establishment of a great government bank. In the present advanced state of civilization, in the present condition of the commerce of the world, and in the actual relations of trade and intercourse between the different nations of the world, it is perfectly chimerical to suppose that the currency of the United States should consist exclusively, or principally, of the precious metals."

In General Jackson's farewell address, on retiring from the government, March 3, 1837, he says: "My humble efforts have not been spared during my administration, *to restore the constitutional currency of gold and silver.* But enough yet remains to require all your energy and perseverance. . . . The constitution of the United States *unquestionably intended* to secure to the people a circulating medium of gold and silver. But the establishment of a national bank by Congress, with the privilege of issuing paper money, receivable in payment of the public dues, and the unfortunate course of legislation in the several states upon the same subject, drove from general circulation the constitutional currency, and substituted one of paper in its place."

"The mask [says Mr. Clay], is now thrown off, and he boldly says that the constitution of the United States *unquestionably* intended to secure to the people a circulating medium of gold and silver. They have not enjoyed, he says, that benefit, because of the establishment of a national bank, *and the unfortunate course of legislation in the several states.* He does not limit his condemnation of the past policy of his country to the federal government, of which he had just ceased to be the chief, but he extends it to the states also, as if they were incompetent to judge of the interests of their respective citizens."

In support of the FOURTH proposition, Mr. Clay says:—

"The proofs on this subject are brief; but they are clear, direct, and plenary. It is almost impossible for any unbiased mind to doubt for a moment about them. You, sir, will be surprised, when I shall array them before you, at their irresistible force. The first that I shall offer is an extract from Mr. Van Buren's letter of

acceptance of the nomination of the Baltimore convention, dated May 23d, 1835. In that letter he says:—

"'I content myself, on this occasion, with saying, that I consider myself the honored *instrument* selected by the friends of the present administration, *to carry out its principles and policy;* and that, as well from inclination as from *duty*, I shall, if honored with the choice of the American people, endeavor generally to follow in the footsteps of President Jackson; happy if I shall be able to *perfect the work* which he has so gloriously *begun*.'

"Mr. Van Buren announces that he was the honored instrument selected by the friends of the present administration, to carry out its principles and policy. The honored instrument! That word, according to the most approved definition, means *tool*. He was, then, the honored tool—to do what? to promote the honor, and advance the welfare of the people of the United States, and to add to the glory of his country? No, no; his country was not in his thoughts. Party, party, filled the place in his bosom which country should have occupied. He was the honored tool to carry out the principles and policy of General Jackson's administration; and, if elected, he should, as well from inclination as from *duty*, endeavor, generally, to tread in the footsteps of General Jackson—happy if he should be able to perfect the work which he had so gloriously begun. Duty to whom? to the country, to the whole people of the United States? No such thing; but duty to the friends of the then administration; and that duty required him to tread in the footsteps of his illustrious predecessor, and to perfect the work which he had begun! Now, the senate will bear in mind that the most distinguishing features of General Jackson's administration related to the currency; that he had denounced the banking institutions of the country; that he had overthrown the bank of the United States; that he had declared, when that object was accomplished, only one half the work was completed; that he then commenced war against the state banks, in order to finish the other half; that he constantly persevered in, and never abandoned, his favorite project of a great government treasury-bank; and that he retired from the office of chief-magistrate, pouring out, in his farewell address, anathemas against paper money, corporations, and the spirit of monopoly. When all these things are recollected, it is impossible not to comprehend clearly what Mr. Van Buren means, by carrying out the principles and policy of the late administration. No one can mistake that those principles and that policy require him to break down the local institutions of the states, and to discredit and destroy the paper medium which they issue. No one can be at a loss to understand, that, in following in the footsteps of President Jackson, and in perfecting the work which he began, Mr. Van Buren means to continue attacking, systematically, the banks of the states, and to erect on their ruins, that great

government bank, begun by his predecessor, and which he is the honored instrument selected to complete. The next proof which I shall offer is supplied by Mr. Van Buren's inaugural address, from which I request permission of the senate to read the following extract:—

"'In receiving from the people the sacred trust twice confided to my illustrious predecessor, and which he has discharged so faithfully and so well, I know that I can not expect to perform the arduous task with equal ability and success. But, *united as I have been in his counsels*, a daily witness of his exclusive and unsurpassed devotion to his country's welfare, *agreeing with him in sentiments* which his countrymen have warmly supported, and permitted to partake *largely* of his confidence, I may hope that somewhat of the same cheering approbation will be found to attend upon my path.'

"Here we find Mr. Van Buren distinctly avowing, what the American people well knew before, that he had been united in the counsels of General Jackson; that he had agreed with him in sentiments, and that he had partaken largely of his confidence. This intimacy and confidential intercourse could not have existed without the concurrence of Mr. Van Buren in all those leading and prominent measures of his friend, which related to the establishment of a government bank, the overthrow of the bank of the United States, the attack upon the state institutions, and the denunciation of the paper currency, the spirit of monopoly, and corporations. Is it credible that General Jackson should have aimed at the accomplishment of all these objects, and entertained all these sentiments, without Mr. Van Buren's participation?

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"On the fifth of March last, not a doubt was entertained, as far as my knowledge or belief extends, that Mr. Van Buren would rescind the obnoxious order. I appeal to the senator from Missouri, who sits near me [Mr. Linn], to the senator from Mississippi, who sits furthest from me [Mr. Walker], to the senator from Alabama [Mr. King], and to the whole of the administration senators, if such was not the expectation of all of them? Was there ever an occasion in which a new administration had so fine an opportunity to signalize its commencement by an act of grace and wisdom, demanded by the best interests and most anxious wishes of the people? But Mr. Van Buren did not think proper to embrace it. He had shared too largely in the confidence of his predecessor, agreed too fully with him in sentiments, had been too much united with him in his counsels, to rescind an order which constituted so essential a part of the system which had been deliberately adopted to overthrow the state banks."

The order of Mr. Van Buren, that nothing but specie should be received from the people, in paying their dues to the treasury, when

no specie could be had, and his recommendation of a bankrupt law that should walk over within the lines of state jurisdiction, to wind up the state banks, were justly regarded as a most offensive exhibition of his obsequiousness to the will of his predecessor, and of a determination to clear the way by force for the establishment of a government bank, on the ruins of all other banks. Such was the fierceness of the war, that a bill was brought into the senate by Mr. Grundy, to suppress the only currency that was then universally current—specie being out of the question—to wit, a few hundred thousand dollars of the old bank of the United States.

"Sir [said Mr. Clay], if the bill had not been proposed by my old friend from Tennessee, I would say its author better deserved a penitentiary punishment, than those against whom it is directed. I remember to have heard of an illustrious individual, now in retirement [General Jackson], having, on some occasion, burst out into the most patriotic indignation, because of a waggish trick played off upon him, by putting a note of the late bank of the United States into his silk purse with his gold."

Mr. Clay went on to show, how such a government bank would confer boundless power on the national executive; what unlimited discretion the plan proposed to confer on the secretary of the treasury; how its practical operation would fill up the channels of circulation, and become the medium of trade, to the exclusion of all other currency; what chances of speculation in brokerage it would afford to the agents and favorites of government; how easy it would be for a chief-magistrate to abstract millions to gain an election, and himself have charge of the secret; what temptations to enlarge issues, till nobody would know how much paper was out, and it should finally be discovered, that the world was full of it, and no specie to redeem it!

"All experience [said Mr. Clay] has demonstrated, that in banking operations, a much larger amount of paper can be kept out in circulation than the specie which it is necessary to retain in the vaults to meet it when presented for payment. The proportions which the same experience has ascertained to be entirely safe, are one of specie to three of paper. If, therefore, the executive government had sixty millions of dollars accumulated at the port of New York, in the hands of the receiver-general, represented by sixty millions of government drafts in circulation, it would be known that twenty of that sixty millions would be sufficient to retain to meet any amount of drafts, which, in ordinary times, would be presented for payment. There would then remain forty mill-

ions in the vaults, idle and unproductive, and of which no practical use could be made. Well; a great election is at hand in the state of New York, the result of which will seal the fate of an existing administration. If the application of ten millions of that dormant capital could save, at some future day, a corrupt executive from overthrow, can it be doubted, that the ten millions would be applied to preserve it in power? Again, let us suppose some great exigency to arise: a season of war, creating severe financial pressure and embarrassment. Would not an issue of paper, founded upon and exceeding the specie in the vaults, in some such proportions as experience had demonstrated might be safely emitted, be authorized? Finally, the whole amount of specie might be exhausted, and then, as it is easier to engrave and issue bank-notes, than to perform the unpopular office of imposing taxes and burdens, the discovery would be made, that the *credit* of the government was a sufficient basis whereupon to make emissions of paper money, to be redeemed when peace and prosperity returned. Then we should have the days of continental money, and of assignats, restored! * * * * *

"The system [said Mr. Clay] would control YOU. You could not control the system. * * * * * *

"Assuming the downfall of the local banks—the inevitable consequence of the operations of this great government bank; assuming, as I have shown would be the case, that the government would monopolize the paper issues of the country, and obtain the possession of a great portion of the specie of the country, we should then behold a combined and concentrated moneyed power, equal to that of all the existing banks of the United States, with that of the late bank of the United States superadded. This tremendous power would be wielded by the secretary of the treasury, acting under the immediate commands of the president of the United States. Here would be a perfect union of the sword and the purse; here would be no imaginary, but an actual, visible, tangible, consolidation of the moneyed power. Who or what could withstand it? The states themselves would become suppliants at the feet of the executive for a portion of those paper emissions, of the power to issue which they had been stripped, and which he now exclusively possessed. * * * * *

Look! "How admirably did the whole system, during the forty years of its existence [bank of the United States], move and work! And on the two unfortunate occasions of its ceasing to exist, how quickly did the business and transactions of the country run into wild disorder and utter confusion! * * * *

"I have been curious, Mr. President, to know whence this idea of receivers-general was derived. It has been supposed to have been borrowed from France. It required all the power of that most extraordinary man that ever lived, Napoleon Bonaparte, when

he was in his meridian greatness, to displace the farmers-general, and to substitute in their place the receivers-general. The new system requires, I think I have heard it stated, something like one hundred thousand employées to have it executed. And, notwithstanding the modesty of the infant promises of this new project, I have no doubt that ultimately we shall have to employ a number of persons approximating to that which is retained in France. That will undoubtedly be the case whenever we shall revive the system of internal taxation. In France, what reconciled them to the system was, that Napoleon first, and the Bourbons afterward, were pleased with the immense patronage which it gave them. They liked to have one hundred thousand dependants to add strength to the throne, which had been recently constructed or re-ascended. I thought, however, that the learned chairman of the committee of finance, must have had some other besides the French model for his receivers-general; and, accordingly, looking into Smith's history of his own state, I found, that, when it was yet a colony, some century and a half ago, and when its present noble capital still retained the name of New Amsterdam, the historian says: 'Among the principal laws enacted at this session, we may mention that for establishing the revenue, which was drawn into precedent. The sums raised by it were made payable into the hands of receivers-general, and issued by the governor's warrant. By this means the governor became, for a season, independent of the people, and hence we find frequent instances of the assemblies contending with him for the discharge of debts to private persons, contracted on the faith of the government.' The then governor of the colony was a man of great violence of temper, and arbitrary in his conduct. How the sub-treasury system of that day operated, the same historian informs us in a subsequent part of his work: 'The revenue,' he says, 'established the last year, was at this session continued five years longer than was originally intended. This was rendering the governor independent of the people. For, at that day, the assembly had no treasure, but the amount of all taxes went, of course, into the hands of the receiver-general, who was appointed by the crown. Out of this fund, moneys were only issuable by the governor's warrant, so that every officer in the government, from Mr. Blaithwait, who drew annually five per centum out of the revenue, as auditor-general, down to the meanest servant of the public, became dependent, solely, on the governor. And hence we find the house, at the close of every session, humbly addressing his excellency, for the trifling wages of their own clerk.' And, Mr. President, if this measure should unhappily pass, the day may come, when the senate of the United States will have humbly to implore some future president of the United States to grant it money to pay the wages of its own sergeant-at-arms, and doorkeeper." * * *

The earliest and most remarkable instance of *sub*-treasury in history, and the most graphic picture of the system, is found in the 47th chapter of Genesis, from the 15th to the 26th verses, under which the treasury of Pharaoh first swallowed up all the money of the people; next, their cattle were taken; then, their lands; last of all, they sold themselves into perpetual bondage, to render to Pharaoh, in perpetuity, *one fifth* of the products of their labor; and they remained in slavery for ever afterward. When Spain exhausted the mines of South America, and in the end drew forth more than a *thousand millions* of bullion into the royal coffers, it was all done by *sub*-treasurers, while the people were taxed, worn out, and kept under. *Sub*-treasurers are always in favor of *direct* taxation, and that is the only way to maintain the system. Rome was free till the system of *sub*-treasury was introduced. So was it in Greece. So has it been in every country that has lost its freedom. The peculiarity of a *sub*-treasury system is, to separate the government from the people, to raise it above them, to make it *independent*, and to make the people *dependent*—*slaves*. There is no sympathy between the parties, but a necessary and perpetual hostility of interests.

Mr. Clay concluded this speech—one of the greatest and happiest efforts of his life—as follows:—

"I am admonished, sir, by my exhausted strength, and by, I fear, your more exhausted patience, to hasten to a close. Mr. President, a great, novel, and untried measure is perseveringly urged upon the acceptance of Congress. That it is pregnant with tremendous consequences, for good or evil, is undeniable, and admitted by all. We firmly believe that it will be fatal to the best interests of this country, and ultimately subversive of its liberties. You, who have been greatly disappointed in other measures of equal promise, can only hope, in the doubtful and uncertain future, that its operation may prove salutary. Since it was first proposed at the extra session, the whole people have not had an opportunity of passing in judgment upon it at their elections. As far as they have, they have expressed their unqualified disapprobation. From Maine to the state of Mississippi, its condemnation has been loudly thundered forth. In every intervening election, the administration has been defeated, or its former majorities neutralized. Maine has spoken; New York, Pennsylvania, Maryland, Ohio, Rhode Island, Mississippi, and Michigan, all these states, in tones and terms not to be misunderstood, have denounced the measure. The key-stone state (God bless her) has twice proclaimed her rejection of it: once at the polls, and once through her legislature. Friends and

foes of the administration have united in condemning it. And, at the very moment when I am addressing you, a large meeting of the late supporters of the administration, headed by the distinguished gentleman who presided in the electoral college which gave the vote of that patriotic state to President Van Buren, are assembling in Philadelphia, to protest solemnly against the passage of this bill. Is it right that, under such circumstances, it should be forced upon a reluctant, but free and intelligent people? Is it right that this senate, constituted as it now is, should give its sanction to the measure? I say it in no disrespectful or taunting sense, but we are entitled, according to the latest expressions of the popular will, and in virtue of manifestations of opinion, deliberately expressed by state legislatures, to a vote of thirty-five against the bill; and I am ready to enter, with any senator friendly to the administration, into details to prove the assertion. Will the senate, then, bring upon itself the odium of passing this bill? I implore it to forbear, forbear, forbear! I appeal to the instructed senators. Is this government made for us, or for the people and the states whose agents we are? Are we not bound so to administer it as to advance their welfare, promote their prosperity, and give general satisfaction? Will that sacred trust be fulfilled, if the known sentiments of large and respectable communities are despised and contemned by those whom they have sent here? I call upon the honorable senator from Alabama [Mr. King], with whom I have so long stood in the public councils, shoulder to shoulder, bearing up the honor and the glory of this great people, to come now to their rescue. I call upon all the senators: let us bury deep and for ever the character of the partisan, rise up patriots and statesmen, break the vile chains of party, throw the fragments to the winds, and feel the proud satisfaction that we have made but a small sacrifice to the paramount obligations which we owe our common country."

Notwithstanding the fixed and resolute purpose of Mr. Van Buren and his advisers, acting, as supposed, under the dictation of his predecessor, or bound by fealty to fulfil pledges to that authority, the exposures made of the novelty and dangerous character of this great experiment, struck the public mind with alarm, and for a while held the execution of the project in suspense. But, as has been seen, the abandonment of this object would disappoint the plan and labor of years. All that had been done by General Jackson, in breaking down the currency system of the country, was to prepare the way for a treasury and government bank. It can not be denied, that this course of preparation had been to the nation what General Jackson, in his message of 1835, allowed to bear on public "*convenience.*" It was in fact a tremendous

ordeal. Was the IRON WILL of the retired chieftain to be disappointed? Was the mantle which he had cast behind him on the shoulders of his own anointed one, to be torn off, and trampled under foot? The pertinacity with which this great purpose, this consummation of the work of many years, this dear and long-cherished scheme, was pushed by Mr. Van Buren, to his personal peril, to his final ruin, is a striking exemplification of the functions of an "honored INSTRUMENT," alias "TOOL," "to carry out the principles and policy" of his predecessor, to which he had publicly and solemnly vowed in the acceptance of his nomination in 1835. The responses which came back from the wide domain of the republic, on the full disclosure of this scheme—the premonitory symptoms—were not very encouraging. Pauses, vacillations, fears were betrayed, in the mind of him who had been "the honored instrument" of thus shocking the mind of the nation by a proposal, which, so far as understood, was most remote from meeting with approbation. But it was the GOAL marked out eight years before, to reach which, the best interests of a great, confiding, patient people, had been walked over with iron heel, and left trodden in the dust.

The scheme, as before seen, was first brought forward at the extra session of Congress, in 1837, convened for that especial purpose, when it was expected the bill would be passed, and the debate was not finally closed till 1840. In January, 1840, when the bill was about to become a law, Mr. Clay—not with any hope of arresting the measure, for the votes were marshalled, and the purpose sealed—but to sustain his protest to the last, and discharge his duty to the country, delivered another speech upon the subject, recapitulating his former arguments, and suggesting some new thoughts.

It was at this session, that Mr. Buchanan, of Pennsylvania, came out with his theory on the wages of labor. "The gentleman from Pennsylvania," said Mr. Clay, "has put the case of two nations, in one of which the amount of its currency shall be double what it is in the other, and, as he contends, the prices of all property will be double in the former nation of what they are in the latter." It matters little in point of justice to him who propounded this theory, in what form it is set forth. The principle and the object can not be disguised. The avowed object of the administration and its advisers at that time, was to suppress the paper medium of the country, and introduce a metallic currency;

and the independent or sub-treasury, was to be the means of accomplishing the end, although, as shown by Mr. Clay, it must necessarily fail, and itself establish a paper medium of a most dangerous tendency. As in a sound paper currency, there is allowed to be three to one of the specie basis, the suppression of paper will reduce the amount of currency by the proportional difference. It is allowed by the theory, that every species of property, and the wages of labor, must fall in the same proportion; but its advocates say, that, when everything is reduced to that level, the difference is merely nominal, and it will not only be equally well, but better for all parties.

There is, certainly, some plausibility in this theory. But the difficulty is in reducing it to practice, because it fails to consider the relative position of American capital and labor to the labor and capital of other parts of the world, which is illustrated in a subsequent chapter. If the reasoning in the place here referred to, be sound, it demolishes this theory, and shows that nothing could be more alarming to the American laborer, nothing more fatal to American freedom, than its proposed object. The high prices of American capital and labor are the citadel of freedom, and with their fall, freedom falls. He who seeks to pull down one, lays violent hands upon the other. It was for want of consideration of this relation of prices to freedom, and of freedom to despotism—it might, perhaps, be added, an ignorance of political economy—that proposed and advocated a measure, which was supposed and allowed to involve a large reduction—say, fifty per cent.—in the prices of American property, and in the wages of American labor. It would be mild enough, because it is exactly true, to say—it was TREASON to the country!

The following are some of Mr. Clay's thoughts on this point:—

"The proposed substitution of an exclusive metallic currency to the mixed medium with which we have been so long familiar, is forbidden by the principles of eternal justice. Assuming the currency of the country to consist of two thirds of paper and one of specie; and assuming, also, that the money of a country, whatever may be its component parts, regulates all values, and expresses the true amount which the debtor has to pay to his creditor, the effect of the change upon that relation, and upon the property of the country, would be most ruinous. All property would be reduced in value to one third of its present nominal amount, and every debtor would, in effect, have to pay three times as much as he had contracted for. The pressure of our foreign debt would

be three times as great as it is, while the six hundred millions, which is about the sum now probably due to the banks from the people, would be multiplied into eighteen hundred millions!

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"Have gentleman reflected upon the consequences of their system of depletion? I have already stated, that the country is borne down by a weight of debt. If the currency be greatly diminished, as beyond all example it has been, how is this debt to be extinguished? Property, the resource on which the debtor relied for his payment, will decline in value, and it may happen that a man, who honestly contracted debt, on the faith of property which had a value at the time fully adequate to warrant the debt, will find himself stripped of all his property, and his debt remain unextinguished. The gentleman from Pennsylvania [Mr. Buchanan] has put the case of two nations, in one of which the amount of its currency shall be double what it is in the other, and, as he contends, the prices of all property will be double in the former nation of what they are in the latter. If this be true of two nations, it must be equally true of one, whose circulating medium is at one period double what it is at another. Now, as the friends of the bill argue, we have been, and yet are in this inflated state; our currency has been double, or, in something like that proportion, of what was necessary, and we must come down to the lowest standard. Do they not perceive that inevitable ruin to thousands must be the necessary consequence? A man, for example, owning property to the value of five thousand dollars, contracts a debt for five thousand dollars. By the reduction of one half of the currency of the country, his property in effect becomes reduced to the value of two thousand five hundred dollars. But his debt undergoes no corresponding reduction. He gives up all his property, and remains still in debt two thousand five hundred dollars. Thus this measure will operate on the debtor class of the nation, always the weaker class, and that which, for that reason, most needs the protection of government.

"But if the effect of this hard-money policy upon the debtor class be injurious, it is still more disastrous, if possible, on the laboring classes. Enterprise will be checked or stopped, employment will become difficult, and the poorer classes will be subject to the greatest privations and distresses. Heretofore it has been one of the pretensions and boasts of the dominant party, that they sought to elevate the poor by depriving the rich of undue advantages. Now their policy is, to reduce the wages of labor, and this is openly avowed; and it is argued by them, that it is necessary to reduce the wages of American labor to the low standard of European labor, in order to enable the American manufacturer to enter into a successful competition with the European manufacturer in the sale of their respective fabrics. Thus is this domi

nant party perpetually changing, one day cajoling the poor, and fulminating against the rich; and the next, cajoling the rich, and fulminating against the poor. It was but yesterday that we heard that all who were trading on borrowed capital, ought to break. It was but yesterday we heard denounced the long-established policy of the country, by which, it was alleged, the poor were made poorer, and the rich were made richer.

"Mr. President, of all the subjects of national policy, not one ought to be touched with so much delicacy as that of the wages, in other words, the bread, of the poor man. In dwelling, as I have often done, with inexpressible satisfaction upon the many advantages of our country, there is not one that has given me more delight than the high price of manual labor. There is not one which indicates more clearly the prosperity of the mass of the community. In all the features of human society, there are none, I think, which more decisively display the general welfare, than a *permanent* high rate of wages, and a *permanent* high rate of interest. Of course, I do not mean those excessive high rates, of temporary existence, which result from sudden and unexpected demands for labor or capital, and which may, and generally do, evince some unnatural and extraordinary state of things; but I mean a settled, steady, and durable high rate of wages of labor, and interest upon money. Such a state demonstrates activity and profits in all the departments of business. It proves that the employer can afford to give high wages to the laborer, in consequence of the profits of his business, and the borrower high interest to the lender, in consequence of the gain which he makes by the use of capital. On the contrary, in countries where business is dull and languishing, and all the walks of society are full, the small profits that are made will not justify high interest or high wages."

The systematic and destructive attack, that was made on the commercial habits of the people of the United States by the Jackson regime, as developed in this and the preceding chapter, and which remains yet more perfectly to be disclosed—vastly comprehensive and fearfully ruinous in its operations, entailing upon the country at least an age of adversity, however soon the remedy may be applied—has raised a new question in political economy peculiar to the position of the people of the United States, in their political and commercial relations to other parts of the world—more especially to Europe. The secret of this question has never yet been laid open to common apprehension, nor, perhaps, has it been distinctly stated. In all the debates which, for a long course of years, this destructive system, introduced by General Jackson, has excited, it has been felt and declared, that freedom was concerned in

a policy that should tend to depress the value of property and the wages of labor; but the cause, the *quo modo*, *how* it is concerned, how it operates, so far as the author of this work has observed, has never been shown. It will be found comprehensively stated in the twelfth chapter of this volume; but, as the application of the principle is especially pertinent here, and may possibly serve to cast some light on the subject now under consideration, it is thought proper to make some use of it in this place.

It is suggested above, that it is a question peculiar to the United States. For practical purposes, statesmen and commercial men have long felt its importance; but as a question of political economy, or science, it has never been debated. The destructive regime, now in view, has drawn it forward, and must enforce its consideration. The fact of there having been a difference of prices in European capital and labor, as compared with those of American capital and labor, was necessarily observed, while the cause or causes have never attracted an equal attention. The secret has, in fact, been hidden from most minds. Not even statesmen have troubled themselves with it as a question of political economy. They have indeed frequently announced, that freedom was concerned in it; it was impossible they should not see and feel it; but they have never explained *how and why*.

In the chapter above referred to, the high prices of American capital and labor, as compared with those of Europe, are represented as identical with freedom—as its own price and prerogative; that this difference is not an accident, that can disappear, and freedom remain; but that it is essential to freedom. It is not true to say, that the values of European capital and labor are real, and those of the United States fictitious, though there is a difference of about half between them. It is the two states of political society that make the difference; and so long as they remain, this difference must remain. The wages of labor in Europe are not fixed by the laborers. They have no voice in it—are not parties to the arrangement—but are compelled to work for a bare subsistence—that being often cruelly and inhumanly insufficient. The result is, that the avails of this cheap and forced labor, in every form of its products and of wealth, can be afforded cheaper, apart from the heavy taxes imposed upon them by expensive and tyrannical governments; and under all these exactions, money capital in Europe, thus acquired, does not cost probably more than half as much as money made in the United States. Hence, six per cent. interest

on the latter capital, is only equal to three per cent. on the former; and as the value of money is measured by the interest that can be obtained for it, it is seen, that money in the United States is worth about twice as much as in Europe. The price of labor here is about three to one of the average price in Europe, because laborers in the United States have a voice in determining their wages. The terms are not—work at a given price, or starve. If wages are not satisfactory in one place, they go to another; if not in one calling, they choose a second; and if no employer will give enough, according to their estimate of their own services, wanting capital to set up for themselves, as a last resort they can always go to the unseated lands of the west, and be independent. There is always a virtual independence in their position, and their labor is never forced. Hence, when the labor of the country is protected, it will always command a fair price—not only sufficient for subsistence, but to give a chance, by frugality and economy, to rise in the world, and acquire wealth. It is the prerogative of freedom, and identified with it.

But this state of things supposes an adequate protective system, as is shown in another part of this work, and protection is indispensable to it. It is shown elsewhere, that an adequate protective policy saves to the country at least an average of fifty per cent. of the costs of the articles protected, which is distributed among all classes, one fraction of which goes to reduce the prices of such articles, another to sustain the wages of labor, and so on. This sustentation of the wages of labor effected by a protective policy, is the point wherein American freedom is defended against the encroachments of European despotism. The wages of labor being high, money and other forms of wealth produced by labor, cost more than in Europe, and are consequently worth more. The value of every species of property is sustained by the operation of the same principle. It is not unnaturally high, but just where it ought to be, and must be, as the concomitant of freedom. Without a protective policy, prices would at once go down to the European standard, labor would be oppressed, and freedom lost. Governments are expensive and oppressive, all the world over, just in proportion as the wages of labor are below what freedom requires; and it is when the governments extort, in various modes of taxation, a moiety, more or less, of the rightful property of laborers, that they are kept poor, humiliated, and enslaved.

Assuming 100 as the cost of American capital, and 100 as the

price of American labor, under an adequate system of protection to both, the average cost of European capital is about 67, and the average price of European labor about 33, as ascertained by the best information. This makes the joint value of European capital and labor 100, and that of American capital and labor 200. The difference, that is to say, fifty per cent. goes into the exchequer of European governments, by their various modes of taxation, to support the implements of tyranny, orders of nobility, religious establishments, armies, navies, and all the paraphernalia of the regal and monarchical conditions of society. But as the government of the United States costs nothing, but is supported by imposts which constitute a properly-adjusted protective system, being itself a fraction of this moiety saved to the country by the protective policy, the other fraction saved, being the chief part of it, all goes to the people directly, and is distributed among all classes, of which the laborer always gets his full share, and is more benefited than any other class, first, by the sustentation of his wages, and next, in that he obtains the articles protected, which are necessary to him, at a cheaper rate, because they are rescued from foreign taxation, and come to him at a fair price.

It will be seen, by this view, that the aggregate costs of society, capital, and labor, are just about the same in Europe as in America, in one region of civilization as in another. The difference is, that in Europe, government and its appurtenances absorb a moiety of the avails of labor, whereas in the United States labor, under a system of adequate protection, realizes its own and full reward, as the prerogative of freedom. Here all the expenses of the general government are defrayed by the operation of the protective system, so that the people are relieved from this important item of taxation. Here, by the same means, money capital, and property of every description, maintain a freedom value—a fair price—and every man has his rights. Whereas, in Europe, government and its appendages are an incubus on the bosom of the people. Money there is not worth more than two thirds of its value in the United States, the wages are not so high by two thirds, and every species of property is alike encumbered.

These brief remarks on this great and important question, in some respects new, if not altogether so, as to the principle involved, will be seen to be pertinent in this place, as they are connected with the wages of labor, the topic in debate by Mr. Clay, which occasioned this digression. It was contended by Mr. Buchanan

and other opponents of Mr. Clay, friends of the then existing administration, that the reduction of the wages of labor to which their policy tended, and which must be its inevitable result, would be merely nominal, and equally good in the end. But besides the injustice to all debtor classes, and the ruin of many, as exhibited by Mr. Clay, the direct tendency of the measures proposed, was to identify the policy with the European system, a view of which and its operations are given above. If the American laborer can not retain his wages, he loses his freedom. Both stand or fall together. It is not true, that the reduction of the wages of labor, as averred, would be merely nominal. It would be an abatement, a destruction of its rights. The subject of debate at this time was the currency question ; but it will be seen, that the wages of labor are necessarily connected with the protective policy, and the views introduced here could not be given, without recognising that relation. And Mr. Clay, in this debate, was forced to come to a consideration of this subject, as the following remarks will show :—

" We are told by the president of the United States, in his message at the opening of the session, that a great moneyed power exists in London, that exerts a powerful influence on this country, and that it is the result of the credit system. * * * *

" But, sir, we must look to higher and much more potent causes than the operations of any bank, foreign or domestic, for the lively interest which is felt in this country, in the monetary transactions of England. In England, the credit system, as it is called, exists in a much more extensive degree than in this country; and, if it were true of the nature of that system, as is alleged, to render one country dependent upon another, why should not England be more dependent upon us, than we upon England? The real cause of our dependence arises out of the unfavorable balance of our foreign trade. We import too much, and export too little. We buy too much abroad, make too little at home. If we would shake off this degrading foreign dependence, we must produce more, or buy less. Increase our productions, in all the variety of forms in which our industry can be employed; augment the products of our soil, extend our manufactures, give new stimulus to our tonnage and fishing interests, sell more than we buy, get out of debt and keep our of debt to the foreigner, and he will no longer exert an influence upon our destiny.

" And this unfavorable balance of our foreign trade is wholly independent of, and unconnected with, the nature or the character of the currency of the country, whether it be exclusively metallic, or mixed with paper and the precious metals. England, in a great measure, by means of that credit or paper system, now so much

denounced, has become the centre of the commerce, the exchanges, and the moneyed operations of the world. By the extent, variety, and perfection of her manufactures, she lays most nations that admit them freely, under contribution to her. And if we had no currency but specie, we should be just as much exposed to the moneyed power of London, or, which is the true state of the case, to the effects of an unfavorable balance of trade, as we now are. We should probably be more so, because a large portion of the specie of the country being in the vaults of a few depositaries, it would be easier then to obtain it for exportation, in the operations of commerce, than now, when it is dispersed among nine hundred or a thousand banks. What was our condition during the colonial state, when, with the exception of small amounts of government paper money, we had no currency but specie, and no banks? Were we not constantly and largely in debt to England? Was not our specie perpetually drained to obtain supplies of British goods? Do you not recollect that the subject of the British debts formed one of those matters which were embraced in the negotiations and treaty of peace, which terminated the revolutionary war? And that it was a topic of angry and protracted discussion long after, until it was finally arranged by Mr. Jay's treaty of 1794?

"Look into the works of Doctor Franklin, in which there is more practical good sense to be found, than is to be met with in the same compass anywhere. He was the agent of Pennsylvania, from about the middle of the last century until the breaking out of the revolutionary war, and a part of the time the agent, also, of the colonies of Georgia and Massachusetts. His correspondence shows, that the specie of the colonies was constantly flowing from them for the purchase of British goods, insomuch that the colonies were left absolutely destitute of a local currency; and one of the main objects of his agency was to obtain the sanction of the parent-country to those issues of paper money, which the necessities of Pennsylvania compelled her to make. The issue was strenuously opposed by the merchants engaged in the American trade, on account of the difficulty which it created in making collections and remittances home. So great was that drain of specie, that we know that Virginia and other colonies were constrained to adopt tobacco as a substitute for money.

"The principal cause, therefore, of the influence of the moneyed power of London over this country, is to be found in the vast extent of our dealings with her. The true remedy is, to increase our manufactures and purchase less of hers, and to augment our exports by all the means in our power, and to diminish our imports as much as possible. We must increase our productions, or economize much more than we have done. New Jersey, before the revolution, being much pressed for one hundred thousand pounds sterling, Doctor Franklin proposed a plan, by which she could in

one year make up that sum. The plan was this: she was in the habit of importing annually from England merchandise to the amount of two hundred thousand pounds. He recommended that the ladies should buy only half the amount of silks, calicoes, teas, and so forth, during the year, which they had been in the habit of consuming, and in this way, by saving, the colony would make the required sum of one hundred thousand pounds. If we would, for a few years, import only half the amount from England that we have been in the habit of doing, we should no longer feel the influence of the London money power.

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"What people ever consented to increase their own burdens unnecessarily? The effect of this measure is, by exacting specie exclusively from the people, and paying it out to the official corps and the public creditor, to augment the burdens of the people, and to swell the emoluments of office. It is an insult to the understanding and judgment of the enlightened people of the United States, to assert that they can approve such a measure.

"No true patriot can contemplate the course of the party in power without the most painful and mortified feelings. They began some years ago their war on the bank of the United States. It was dangerous to liberty; it had failed to fulfil the purposes of its institution; it did not furnish a sound currency, although, the sun, in all its course, never shone upon a better. In short, it was a monster, which was condemned to death, and it was executed accordingly. During the progress of that war, the state banks were the constant theme of praise, in speech and song, of the dominant party. They were the best institutions in the world, free from all danger to public liberty, capable of carrying on the exchanges of the country, and of performing the financial duties to government, and of supplying a far better currency for the people than the bank of the United States. We told you that the state banks would not do, without the co-operation of a bank of the United States. We told you that you would find them a weak league—a mere fleet of open boats tied together by a hickory withe, and which the first storm would disperse and upset. But you scorned all our warnings, and continued, year after year, to puff and praise the operations of these banks. You had the boldness, in the face of this abused nation, to aver that the country had been supplied by them with a better currency, and better exchanges, than it had been by the bank of the United States. Well, by your own measures, by your treasury circular, distribution of the surplus, and so forth, you accelerated the catastrophe of the suspension of the banks. You began with promises to the people of a better currency, better times, more security to civil liberty; and you end with no currency at all, the worst possible times, an increase of executive power, and a consequent increase of danger to civil lib-

erty. You began with promises to fill the pockets of the people, and you end by emptying theirs and filling your own."

Mr. Clay went on to show, in more minute details, and with even more effective illustrations, than in his former speeches, that the sub-treasury scheme was the plan of a treasury-bank, and must necessarily operate as such, and concluded his remarks upon this point, as follows:—

"I know that it has been argued, and will be argued again, that at all times, since the commencement of the government, the practice of the treasury has been, to issue its drafts upon the public depositaries; that these drafts have not heretofore circulated as money; and that if they now do, it is an incident which attaches no blame to the government.

"But heretofore these drafts were issued upon banks, and the holders of them passed to their credit with the banks, or received payment in bank-notes. The habit of the country—and habit was a great thing—was to use bank-notes. Moreover, there were bank-notes of every kind in use—those which were local, and those which were general, in their credit and circulation. Now, having no bank of the United States in existence, there are no bank-notes which maintain the same value, and command the public confidence, throughout the Union. You create, therefore, an inexorable necessity for the use of government drafts as a medium of general circulation, and argue from a state of things when no such necessity existed!

"The protestation of the friends of the bill in this chamber, the denunciations of its opponents, and the just horror which the people entertain of a government bank, may prompt the secretary of the treasury, slowly and slyly, to lift the veil which masks its true features. A government bank may not suddenly burst upon us, but *there* it is, embodied in *this* bill; and it is not the least objection to the measure, that it depends upon the discretion of a secretary of the treasury to retard or accelerate the commencement of its operation at his pleasure. Let the re-election of the present chief magistrate be secured, and you will soon see the bank disclosing its genuine character. But, thanks be to God, there is a day of reckoning at hand.

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"There is one man [Mr. Van Buren], and I lament to say, from the current of events, and the progress of executive and party power, but one man at present in the country, who can bring relief to it, and bind up the bleeding wounds of the people. He, of all men in the nation, ought to feel as a parent should feel, most sensibly, the distresses and sufferings of his family. But looking to his public course, and his official acts, I am constrained to say, that he surveys unconcerned the wide-spread ruin, and bankruptcy, and

wretchedness, before him, without emotion, and without sympathy. While all the elements of destruction are at work, and the storm is raging, the chief magistrate, standing in the midst of his unprotected fellow-citizens, on the distinguished position of honor and confidence to which their suffrages have devoted him, deliberately wraps around himself the folds of his India-rubber cloak, and lifting his umbrella over his head, tells them, drenched and shivering as they are, under the beating rain, and hail, and snow, falling upon them, that he means to take care of himself and the official corps, and that they are in the habit of expecting too much from government, and must look out for their own shelter, and security, and salvation!

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"Now, sir, put this government bank into operation, and who are to be charged with the administration of its operations? The secretary of the treasury, the treasurer of the United States, the register and comptroller of the treasury, and the receivers-general, and so forth—every one of them holding his office at the pleasure and mercy of the president—every one of them, perhaps, depending for his bread upon the will of the president—every one of them taught, by sad experience, to know that his safest course is to mould his opinions, and shape his conduct, so as to please the president—every one of them knowing perfectly, that, if dismissed, he is without the possibility of any remedy or redress whatever. In such a deplorable state of things, this government bank will be the mere bank of the president of the United States. He will be the *president, cashier, and teller.* Yes, sir, this complete subjection of all the subordinate officers of the government to the will of the president, will make him sole director, president, cashier, and teller, of this government bank. The so-much-dreaded union of the purse and the sword will at last be consummated, and the usurpation, by which the public deposites, in 1833, were removed by the advancement of the one, and the removal of another secretary of the treasury, will not only be finally legalized and sanctioned, but the enormity of the danger of that precedent will be transcended by a deliberate act of the Congress of the United States!

"Mr. President, for ten long years we have been warring against the alarming growth of executive power; but, although we have been occasionally cheered, it has been constantly advancing, and never receding. You may talk as you please about bank expansions. There has been no pernicious expansion in this country like that of executive power; and, unlike the operations of banks, this power never has any periods of contraction. You may denounce, as you please, the usurpations of Congress. There has been no usurpation but that of the executive, which has been both of the powers of other co-ordinate departments of this government,

and of the states. There scarcely remains any power in this government but that of the president. He suggests, originates, controls, checks everything. The insatiable spirit of the Stuarts, for power and prerogative, was brought upon our American throne on the fourth of March, 1829. It came under all the usual false and hypocritical pretences and disguises, of love of the people, desire of reform, and diffidence of power. The Scotch dynasty still continues. We have had Charles the First, and now we have Charles the Second. But I again thank God, that our deliverance is not distant; and that, on the 4th of March, 1841, a great and glorious revolution, without blood and without convulsion, will be achieved."

This bill became a law at this (first) session of the 26th Congress, 1840, by a vote of 124 to 107 in the house of representatives, and 24 to 18 in the Senate; and one of the first acts of the 27th Congress, elected with General (William H.) Harrison, in the great political revolution of 1840, was to repeal it, when it had been in operation about a year. Nothing contributed so much to the downfall of the Jackson regime, as the audacity of this measure.

The importance of the subject of CURRENCY seems to require some remarks and facts, which rather appertain to the functions of a political economist, than to the debates of statesmen.

MONEY is the medium of trade, or the means by which trade is carried on; CURRENCY is that which passes for money, and, for the purposes of trade, *is* money. It is indispensable to the credit of a common currency, that it be always convertible into specie on demand. Otherwise, its credit is instantly impaired, and it sinks just in proportion to the doubts cast over the prospects of redemption—because gold and silver, weighed in the scales, and assayed by common laws, are the universal test. No legislation can force credit into a currency;—this truth is settled by experience. Many governments have tried it, but without avail. France tried it in her assignats; Great Britain has tried it in various modes; America tried it in continental money; despots have tried it; but it always fails. The reason is, that gold and silver, weighed, is the only common currency of the world. This test finds its way everywhere, into all countries, and to all currencies, in spite of legislation, or the will of despots.

It is an error to suppose, that the value of gold and silver consists in the fact, that they are money. On the contrary, they are

appropriated to this use, on account of their superior value and great demand for innumerable purposes of utility, art, and ornament, arising from their peculiar and excellent qualities. It is estimated that trade employs about one *sixth* or one *seventh* of the gold and silver in the world in exchange as money. On this account there can never be a want of money, inasmuch as gold and silver, being worth more for purposes of trade, than in any other use, they will always come forth from their other forms, when trade invokes them, in a sufficient quantity to supply the demand. What is commonly called scarcity of money arises from improvidence in some quarter. If a country wants money, it arises from an inadequate protective policy. The money has gone off to settle balances. The improvidence of an individual leads to the same result. It is not because there is not gold and silver enough in the world. There is always some five or six times more than the uses of trade require, and if trade be prudently managed, it will always be at hand. Any party, whether an individual person, or a nation, that is in the habit of buying in excess of sales, must expect a dearth of the precious metals.

The constitution of the United States has wisely ordered, that "no state shall make anything but gold and silver coins a tender in payment of debts." The effect, and doubtless the design of this rule, is, to keep the way open for the only legitimate test for all currencies, viz., gold and silver, weighed in the scales. The constitution itself goes no further than the test of COINS, which is imperfect; but the aim of government in the mint assays, is to keep the coins as near as possible to the test of the scales, which is near enough for all practical purposes, though seldom exact. Sound policy would require, that the legal coins, thus provided, should rather be under than over their nominal value, to bar exportation as an article of trade. If in a slight degree over their nominal value, they will be bought up and exported for profit, as fast as the mint turns them out. This was the effect of the gold bill passed under the administration of General Jackson. An affectation of being over-honest with the people, robbed the country. It was a want of sagacity.

Some aver, that the constitutional tender, gold and silver coins, is the only constitutional currency. This can not be maintained, first, because the rule itself grows out of the fact, and is based upon the fact, of the existence and use of other currencies, and comes in to forbid that any other currency should be forced upon

the public, by forcing it on creditors. So long as the creditor may lawfully demand gold and silver coins in payment of debts, his rights are sufficiently well secured. Secondly, to put an interpretation on the constitution, which was contrary to the practice of the time, and which interferes with the necessities of society at all times, would be absurd. Thirdly, the rule, as here interpreted, is all-sufficient, as it leaves all currencies open to the test of gold and silver weighed.

It is further evident, that the constitutional tender was not intended as an exclusive currency, from the fact, that no nation can make an exclusive appropriation of the precious metals as a currency. The accident of a nation's stamp on the face of a coin, is nothing beyond its own jurisdiction. The gold and silver, bearing the stamp of the American mint, is still a currency, as truly and equally good, all the world over, as in the United States. The only difference is, that in one case it passes by its stamp, and in the other by the scales. The moment an American coin issues from the mint, it is ever afterward the property of him who holds it for the time being, whether he be in America, in Europe, or in Asia; and when once it goes beyond the jurisdiction of the United States, it is by no means certain it will ever return again, and the chances are perhaps against it. The chief use—a very important one—of the legal tender, is as a secure and authorized test of all the currencies that may be afloat. This is the practical effect of the law, which was doubtless its intention, and which is as good a protection of the public against false and spurious currencies, as society can conveniently furnish. All civilized communities find it necessary, and employ it as such.

A law to establish an exclusive metallic currency, would in effect be a law to stop trade—that is, the great amount of it that is now carried on. The exchanges daily made in the market and in banks, if required to be done with gold and silver, would absorb a large portion of the industry, labor, and porterage of every community, and in a little while would cost more than all the money there is in the world—not to speak of the risks of such a mode of business. The less action of gold and silver in trade, so much the more is saved to all parties. It is only required for small change, and to settle balances between remote points of the commercial world. One of the differences between civilization and barbarism, is, that credit characterizes the former, and barter the latter; and the further a nation advances in civilization, so much less will

be the activity of the precious metals as a currency. The great art of trade is to keep them quiet as a BASIS; and the great art of government is to see that they be always on hand to redeem the evidences of debt.

The system of banking in the United States is designed to make one dollar in specie answer the purposes of three, not precisely, but as a general rule; and it is perfectly safe on two contingencies, first and chiefly, that the protective policy of the government, in its regulation of foreign commerce, be adequate to prevent balances of trade falling against the nation; and secondly, that the statutes of incorporation be adequate in themselves, and adequately enforced, to prevent mismanagement and fraud. It is supposed, that the legislatures have taken care, as is their duty, so to frame the statutes as to secure the community, if faithfully observed, and it is the duty of the government to see that they are executed. A sound banking system has always a capital, including assets, in excess of its debts, liable to the claims of creditors.

It is by a system of this kind, and only by this, that American capital and labor can maintain its ground against European capital and labor, the latter costing only half of the former, as shown in another chapter. The physical and moral capabilities of the United States, can employ to advantage all the currency which such a system affords, and they can not prosper against the rivalship of European capital and labor, without it. Reduce the people of this country to a hard money currency, and they are ruined.

The currency of a nation is as blood to the animal economy. Disturb it, or vitiate it, or impair it, or tie up its veins, or overcharge it, or drain it, or dam up its courses, or put clogs and trammels on its action, or in any way treat it rudely and unskilfully, the effect is precisely the same on the health and wealth of the nation, as is produced by a like treatment of the vital current, functions, and organs of the human body. In all these and other forms of abuse and rudeness, has the currency of the United States been handled, as shown in this and the preceding chapter.

A certain quack doctor gave out that a certain great animal was too plethoric, and required bleeding; but the blood being precious, he proposed to infuse it by injection into the bodies of certain other animals of the same genus. But it only threw them into a fever. He then proposed to draw it off again, and infuse it into the veins of the people. But it gave the people a fever. Then he thought it would better suit the bodies of the backwoodsmen, and he gave

it to them by a like process. But, unfortunately, all the bodies thus practised upon, rather grew worse, and showed symptoms of a fatal termination. The virus, once communicated, became a raging epidemic. States caught it, cities and villages caught it, all manner of corporations caught it, individuals caught it, the whole nation was seized of it, new and artificial beings started into mushroom life, to get a little of the blood, and, after a feverish existence, died. At last, the fever being spent, there was a universal collapse, and all remedies failed to bring the patients to.

The head of a great house, saw the big old St. Bernard family dog, in his path, and cried out to his boys—"MAD DOG!" Whereupon the youngsters seized their rifles, gave chase, and shot him down. But it turned out that he was in no wise mad at all, and the loss was grievous. He had been especially useful in keeping the numerous pack of small dogs in order. The moment he was dead, the small curs broke loose, many of them ran mad and bit numbers of the family. One of the family took the carcass of the old dog, and undertook to galvanize it. He jumped a little, and then fell down, to jump no more.

To drop figures, and come to facts. The losses sustained by the country in the calamitous vicissitudes, through which it has been forced, must have been vast; and the aggregate could not be approached, but by adding the results of a prosperity that ought to have been realized, to the positive sacrifices that have been sustained. Few persons are accustomed to reflect on the diversity and extent of the losses of those times. But, let every man, who lived through them, calculate for himself what he personally sacrificed—what chances were lost by him—what he might have done, and what he might have been, if the prosperity of the country had not been arrested by those fatal measures—and he will then be better qualified to appreciate the private and public calamities of that period. Mr. Clay states the average depression in the value of property under that state of things which existed before the tariff of 1824 came to the rescue of the country, at *fifty per cent.* The revulsion of 1837 produced a far greater havoc than was experienced in the period above-mentioned. The ruin came quick and fearful. There were few that could save themselves. Property of every description was parted with at sacrifices that were astounding, and as for the currency, there was scarcely any at all. In some parts of the interior of Pennsylvania, the people were obliged to divide bank notes into halves, quarters, eighths, and so

on, and agree from necessity to use them as money. In Ohio, with all her abundance, it was hard to get money to pay taxes. The sheriff of Muskingum county, as stated by the Guernsey Times, in the summer of 1842, sold at auction one four-horse wagon, at $5 50; 10 hogs at 6¼ cents each; two horses (said to be worth from $50 to $75 each) at $2 each; two cows at $1 each; a barrel of sugar for $1 50: and a "store of goods" at that rate. In Pike county, Mo., as stated by the Hannibal Journal, the sheriff sold 3 horses at $1 50 each; 1 large ox at 12½ cents; 5 cows, 2 steers, and 1 calf, the lot at $3 25; 20 sheep at 13½ cents each; 24 hogs, the lot, at 25 cents; 1 eight-day clock, at $2 50; lot of tobacco, 7 or 8 hogsheads, at $5; 3 stacks of hay, each, at 25 cents; and 1 stack of fodder, at 25 cents.

The United States Almanac stated the losses on five descriptions of capital, in four years, from 1837, as follows:—

Losses on bank circulation and deposites	$54,000,000
" on bank capital failed and depreciated	248,000,000
" on State Stock depreciated	100,000,000
" on Company Stocks	80,000,000
" on Real Estate	300,000,000
Total of these items,	$782,000,000

A writer of a series of papers published in New York, in 1840, entitled, "Letters to the people of the United States, by Concivis," showing a good deal of ability, and apparent labor of investigation, sums up a catalogue of losses in the whole country, for the same period, as follows:—

Losses on wool	$20,000,000
" on cotton	130,000,000
" on grain	150,000,000
" on foreign merchandise	130,000,000
" on domestic do.	400,000,000
" on capital vested in manufactures	50,000,000
" on capital vested in moneyed stocks	150,000,000
" on capital vested in slave labor	400,000,000
" on capital vested in lands	2,500,000,000
" on capital vested in real estate in cities	500,000,000
" on the price of labor	1,500,000,000
Total	$5,930,000,000

A portion of this, it will be seen, is a calculation of depression of values in permanent property, amounting to more than half of the aggregate, which is restored, at least in part, with the revival of prosperity, and does not, therefore, belong to the score of absolute and entire destruction; though it shows what would continue as the effect, and operate destruction, without a remedy. In all

seasons of general adversity of this kind, however, a vast amount of permanent property is forced to change hands, and is consequently a sacrifice to individuals, though not to the country, when its value is restored. With these abatements, and with all allowances for the difficulties of coming at exact truth—variations from which being as likely to fall on one side as the other, except in a want of fairness—calculations of this kind lead to stupendous results, of which this is an instructive example.

Government can facilitate or embarrass, revive or destroy, the trade of a nation, and it is fair to hold it responsible for unfavorable results in commerce, domestic and foreign. The maxim of Mr. Van Buren—"Let the people take care of themselves, and the government take care of itself," is subverting the design of government, whose appropriate function is a parental care of the people and their interests. But this maxim destroys this parental relation, fosters unnatural and destructive passions, and seems to authorize rulers to prey on the people. It is undoubtedly true, that the American people will take care of themselves, if the government will let them. All they require is the protection of their interests vested in labor, art, and capital, which is one of the chief designs of the appointment of governing powers.

CHAPTER III.

REMOVAL OF THE DEPOSITES.

Care of the Public Funds committed by Law to Congress, and by Law forbidden to the Executive.—An Opinion of the Supreme Court.—The Secretary of the Treasury an Agent of Congress, not of the Executive.—Required to make his Report to Congress.—The Secretary of the Treasury reads a Lecture to Congress, and helps them out of a difficulty.—An Employée that has more Power than his Principals.—The Airs of an unrobed Official.—Mr. Clay's Resolutions.—Remarks.—A Revolution.—The Judiciary humbled.—The President takes the Responsibility.—Mr. Clay's Views.—Correspondence between General Jackson and Mr. Duane.—The President takes Charge of Morals, &c.—A Cæsar.—Mr. Duane's noble Conduct.

It will not be surprising to those who may have read the preceding parts of this work, that the transaction indicated by the head of this chapter, should have been regarded as an alarming usurpation. When it is considered, that one of the prime and most careful objects of all free governments has ever been to keep the purse of the state separate from the sword; that in whatever nation these two powers have been united, it has been used for purposes of despotism; that the government of the United States was carefully constructed to guard against it; that all the laws erecting and governing the treasury department were framed expressly to constitute it the agent of the democratic branch of the government, and make it responsible to that branch alone; that it is required to report to that body, and not to the executive; that the treasurer of the United States, and not the secretary of the treasury, is by law made the keeper of the public funds, and required to give bonds for their security; that the treasurer's duties are clearly defined in the statute, as follows, "To receive and keep the moneys of the United States, and to disburse the same, upon warrants drawn by the secretary of the treasury, countersigned by the comptroller, recorded by the register, and NOT OTHERWISE;" that the constitution says, "No money shall be drawn from the treasury, but in consequence of appropriations made by law," that is, only by the authority of Congress; that the bank of

the United States, by the act of its incorporation, was constituted the treasury of the nation; that, in consequence of these various enactments, made from time to time, creating the treasury, appointing its agents, and regulating its concerns, the president of the United States was as effectually cut off from any lawful power to touch the public funds, or to have any control over them, as any other man in the nation, or in the world, and designedly and especially so, for the reason that they were INTENDED to be kept out of his reach, on the ground of a recognised principle of supreme political importance, that the security of public liberty required it; and when, in addition to these provisions of law, it is considered, that, in consequence of a disposition manifested, on the part of the president, to violate these obligations, and transcend these limitations of his authority, the house of representatives in Congress—a majority of whom were his political friends—passed a resolution, in March, 1833, by a vote of 110 to 46, "That the government deposites may, in the opinion of the house, be safely continued in the bank of the United States," thus emphatically expressing their opinion in advance, as a rebuke of the purpose, and as an admonition against its execution; and when, in addition to all this, it is also considered, that the secretary of the treasury, prompted by the president himself, sent an agent to inquire as to the safety of the public deposites in the bank of the United States, who reported, that they were perfectly safe; and that, in consequence of the endeavors of the president, in his official documents and otherwise, to excite public distrust in the bank, a committee was appointed by Congress to make the same inquiry, with the same result;—it can not be denied, that these laws and these facts ought to have been regarded as a very formidable barrier to the executive act of taking charge of these deposites, and removing them, NOTWITHSTANDING!

To clear the way for this extraordinary assumption of power, it was necessary, first, to assume, that the secretary of the treasury was an *executive* agent, challenging or overlooking the fact, that he was constituted by law the agent of the legislative branch of the government. That, unfortunately, according to the practice of the government—though it is believed against the design of the constitution—he held his place at the will of the president by the power of removal, is true, as is the case with every public officer that is appointed by the co-ordinate power of the senate, there being *practically* no co-ordinate power in removing from office. It

should be remarked, however, that this power of removal, as usually exercised by the president, is no further a settled question than by the precedent of the casting vote of the vice-president in the first Congress under the constitution, and may therefore be considered an open question.

The heads of the departments of state, navy, and war, seem to be recognised executive agents, and make their reports directly to the president. The members of the cabinet are no rule to determine this question, as there is no such constitutional body or faculty, it being optional with the president, who he will have as advisers, or whether he will have any; though, as a matter of prudence, and in respect for usage, he could hardly dispense with it. General Jackson brought into his cabinet the attorney-general and postmaster-general, not before practised.

It will be observed, that Mr. Secretary Taney, in whose name the deposites were removed, very properly addresses his report of that transaction to the Hon. Andrew Stevenson, speaker of the house of representatives, over his signature of R. B. Taney, secretary of the treasury. Though the reports from that department are always made to Congress, there seems not to have been a uniformity in the modes of address. Whether there has been at any time a disposition to break loose from that connexion, and form a new one, is not a fact admitting of very clear evidence. Mr. Secretary Woodbury, in 1837, sends his report as usual to Congress, but addresses it to NOBODY—that is, to no representative functionary. It begins thus: "In obedience to an act supplementary to an act to establish the treasury department, the secretary of the treasury respectfully submits to Congress the following report." Mr. Secretary Spencer, in 1843, addresses his report to the Hon. Willie P. Mangum, president of the senate, and begins: "Sir: By the act of Congress approved May 10, 1800, IT IS MADE THE DUTY of the secretary of the treasury," &c.—a very suitable recognition of the authority under which he acted. This obvious relation, as developed in the history of the action of the treasury department, corresponds, as it should, with the constitution and the laws, and shows, as might be expected, that the secretary is a minister of the legislature, and not of the executive branch of the government. The reasoning in the decision of the supreme court of the United States, given in the note* below, in the case of Mar-

* "By the constitution of the United States, the president is invested with certain important political powers, in the exercise of which, he is to use his own discretion, and is accountable only to his country in his political character, and to his

bury and Madison—making allowance for the position of the parties—is directly to this point, and settles the principle.

President Jackson inadvertently betrayed his error, in the reasoning he employed in the paper read to his cabinet on the 18th of September, 1833, in justification of his course: "It is for the wisdom of Congress to decide upon the best substitute to be adopted in the place of the bank of the United States. . . . Although, according to the frame and principle of our government, this decision would seem more properly to belong to the legislative power," &c.* So also Mr. Secretary Taney in his report: "The power over the place of deposite, would SEEM properly to belong to the legislative department of the government, *and it is difficult to imagine* WHY the authority to withdraw it [the money] from this bank, was confided *exclusively* to the executive. But the terms of the charter APPEAR to be TOO PLAIN to admit of a question." The clause of the charter here referred to, reads as follows:—

"That the deposites of the money of the United States, in places in which the said bank and branches thereof may be established, shall be made in said bank or branches thereof, *unless the secretary of the treasury shall at any time otherwise order and direct;* in which case the secretary of the treasury *shall immediately lay before Congress*, if in session, and if not, immediately after the

own conscience. To aid him in the performance of these duties, he is authorized to appoint certain officers, who act by his authority, and in conformity to his orders.
* * * * * * * *

"In such cases, their acts are his acts; and whatever opinion may be entertained of the manner in which executive discretion may be used, still there exists, and can exist, no power to control that discretion. The subjects are political. They respect the nation, not individual rights, and being intrusted to the executive, the decision of the executive is conclusive. The application of this remark will be perceived by adverting to the act of Congress for establishing the department of foreign affairs. This officer, as his duties were prescribed by that act, is to conform precisely to the will of the president. He is the mere organ by whom that will is communicated. The acts of such an officer, as an officer, can never be examined by the courts.

"But when the legislature proceeds to impose on that officer other duties; when he is directed peremptorily to perform certain acts (that is, when he is not placed under the direction of the president); when the rights of individuals are dependant on the performance of those acts, he is so far *the officer of the law;* is amenable *to the laws* for his conduct; and can not at his discretion sport away the vested rights of others.

"The conclusion from this reasoning is, that where the heads of departments are the political or confidential agents of the executive, merely to execute the will of the president, or rather to act in cases in which the executive possesses a constitutional or legal discretion, nothing can be more perfectly clear than that their acts are only politically examinable. But where a specific duty is assigned by law, and individual rights depend upon the performance of that duty, it seems equally clear that the individual who considers himself injured, has a right to resort to the laws of his country for a remedy."

* For the entire document, see Niles's Register, vol. xlv., p. 73.

commencement of the next session, the reasons of such order or direction."

The words in italics are all the authority there was for removing the deposites; and every one will see, that the common sense interpretation of such phraseology, in such connexion, was to authorize the secretary, as the minister of Congress, on a sudden emergency of peril to the public funds—it being his place and duty to know about that—to take instant steps for their security, in which he would of course be approved. Such a discretion might perhaps, in some cases, be extended further; but it would be hazardous, and the secretary would doubtless first satisfy himself, that he could render a satifactory account to his employers, whose agent he was. He was required by the same law "IMMEDIATELY to lay before Congress, if in session, and if not, IMMEDIATELY after the commencement of the next session, the REASONS of such order or direction." As much as to say, for the safety of the public funds, such may sometimes be a necessary, though it is a high, discretion, and should be explained and defended—the case supposed would be its own defence—"IMMEDIATELY."

It will be observed, that Mr. Secretary Taney does not make his report in the name of "the president of the United States," as is the style of the secretary of state—in all his official transactions—the latter being an executive agent—but Mr. Taney does it in his own name—with what propriety, except in conformity to law and usage, may be questionable, in view of the following facts: The president, in the paper read to his cabinet on the 18th of September, says—"The president again repeats, that he begs his cabinet to consider the proposed measure as HIS OWN. . . ITS RESPONSIBILITY HAS BEEN ASSUMED." On the 20th of September, his decision was authoritatively announced, and the first of October was fixed as the day of execution; on the 23d Mr. Duane was dismissed from the office of secretary of the treasury, because he refused to execute the order, and Mr. Taney was put in his place to do what Mr. Duane refused to do. But Mr. Taney, in his report to Congress, gives not a word of this history, but appears there with all the responsibility on his own shoulders. The president vanishes out of sight, and the agent of Congress affects to give a faithful and TRUE account, "immediately," as the law directs, "after the commencement of the next session," of the use of his high discretion. The law requires that he should give the "REASONS." Accordingly Congress is instructed and edified—

not with a statement of THE "reasons," however—but with an exposition of law, and sundry alleged facts. He comes boldly forward, and says: "I have directed"—not, I *was* directed by the president. He informs Congress, that they had made an imprudent contract with the bank of the United States; but, by a more fortunate blunder, they had conveyed to him, their agent, more power than they, as principals, possessed; that, by virtue of this power, he had come to their rescue; that, "it is difficult to imagine" how this could be, but nevertheless so it was; that they, Congress, could not withdraw the deposites, but he, their agent, could; that the covenant between the stockholders of the bank and Congress, is one thing, and that between the stockholders and the agent of Congress, another thing; that by the former, Congress were in a difficulty, and by the latter they were helped out of it; that, although the principals could not act in this matter, their agent could do all that was necessary; that it was the duty of the agent, in the absence of such power in his principals, to take care of their interests; that the obligation to assign the REASONS "of his conduct," can not be regarded as a restriction of his power, which, he says, is "absolute and unconditional;" that the president of the United States is "required to take care that the laws be faithfully executed;" that his [the secretary's] responsibility is to the executive [not true], and hence his power over the subject; that "the terms of the charter [giving this power] are too plain to admit of a question;" that "it is the duty of the secretary of the treasury to withdraw the deposites, whenever the change would, *in any degree*, promote the public interest"—he being judge; that "it is not necessary, that the deposites should be *unsafe*, in order to justify the removal;" that "the *general* interests and convenience of the people, must regulate his [the secretary's] conduct;" that he would otherwise "betray the trust confided in him;" that Mr. Secretary Crawford acted on this principle in 1817; that there is no difference between a part of a thing and the whole; "that the power of removal was *intended* to be reserved *exclusively* to the secretary of the treasury;" that "it is the duty of the executive departments to EXERCISE the powers conferred on them;" that the question of bank or no bank, was "argued on both sides before the tribunal of the people, and their verdict was pronounced against the bank;" that "it was, therefore, his duty to act upon the assumption, that this corporation would not continue;" that he "could only inquire what would most conduce to the public good;"

that "it was OBVIOUS the interests of the country would not be promoted" by the other alternative; that "the ability of the bank under such circumstances, might be well doubted;" that the bank owed its credit to the government, not to itself; that the state banks would be as good as the bank of the United States; that the question of removal was one of *time* only; that he, the secretary, would have done it sooner, if it had been with him to determine; that, on the whole, it had happened just about the right time, for "the public interest;" that the recent conduct of the bank, in swelling its loans, augured no good, but was very alarming; that its arbitrary contractions were oppressive; that, "under other circumstances," he, the secretary, "would have been disposed" to allow this business to fall into the hands of Congress, though he was under no obligations to do so; that he "should have preferred executing the measure in a manner that would have enabled the legislature to act on the subject, but the bank left him no choice;" that, "the power of removal being reserved exclusively to the secretary of the treasury, his action was necessary to effect it;" that "it could not have been postponed to a later day, without injury to the country;" that the bank had violated its duty, and forfeited its rights, by seeking to obtain political power; that, to conceal its designs, it had established a governing power, not known in the charter; that, since such criminal transactions can not be *proved*, they ought to be *presumed;* that the bank had agreed to pay a public debt, and had only assumed it; that it had charged the usual amount of damages for the non-payment of the French indemnities, but had made too much money by it in the use of its own facilities; that the bank had undertaken to defend itself against the hostility of the government, by diffusing information; that the liberties of the people were thereby endangered; that the bank had no right to defend itself; that it had "endeavored to defeat the election of those who were opposed to its views;" that "it is a fixed principle of our political institutions to guard against the unnecessary accumulation of power;" that the bank is unconstitutional; and that, therefore, he, the secretary, had felt it his duty to withdraw the public deposites from the bank of the United States. Although some liberty has been taken, as to the form of these statements, and to strip them of cumbrous and artful verbiage, for the sake of brevity, it is believed, that the ideas and principles they suggest, are fairly derived from the document, in connexion with other historical facts.*

* See Niles's Register, vol. xlv., p. 258.

Thus was it proved, that Congress was not the master of its employée (an employée, by-the-by, thrust upon them), but that the employée was master of Congress; that the principals had less power than their agent, were indebted to him for protection, and for coming to their rescue, when they were involved in difficulty by their own want of foresight. They were also indebted to him for this lucid definition of their own position and his, and for his able exposition of the various points of constitutional and other law involved in the case. It is true, the secretary says nothing about BY WHOM, HOW, AND WHEREFORE, he came into that position; how long he had been there when the deposites were removed; whether he was ACTIVE or PASSIVE in that transaction; for how could that concern those who had all the benefit? Besides, as he was an agent of the law, for form's sake, there must needs be an APPEARANCE of conformity to law. Therefore he speaks in his own name, as if he had really done this thing! True, there was an apparent want of modesty in one—who had come so recently upon this theatre, who had not even appeared upon the stage till after the business was all settled, who had not the slightest degree of experience in this vocation, who was unknown to his employers, whose name had not even been sent in to them, who was therefore yet uninvested with his official robes—to come before them with such airs of authority and power! On the 14th of March following, Mr. Clay said in the senate: "We are now in the fifth month of the session; and in defiance of the sense of the country, and in contempt of the participation of the senate in the appointing power, the president has not yet DEIGNED to submit the nomination of HIS secretary to the consideration of the senate. Sir, I have not looked into the official record; but, from the habitual practice of every previous president, from the deference and respect which they all maintained toward a coördinate branch of the government, I venture to say, that a parallel case is not to be found." Congress might well have said to this unknown personage—"Who are you, sir?—who sent you here?" But the farce at the end of a play is too important a part of the entertainment to be spoiled by such impertinent interrogatories; and it does not appear that there was any interruption.

As this report of the secretary of the treasury was before Congress, it must needs be the subject of some notice. Accordingly, on the 26th of December, 1833, Mr. Clay offered to the senate the following resolutions:—

'*Resolved*, That by dismissing the late secretary of the treasury because he would not, contrary to his sense of his own duty, remove the money of the United States in deposite with the bank of the United States and its branches, in conformity with the president's opinion, and by appointing his successor to effect such removal, which has been done, the president has assumed the exercise of a power over the treasury of the United States not granted to him by the constitution and laws, and dangerous to the liberties of the people.

"*Resolved*, That the reasons assigned by the secretary of the treasury for the removal of the money of the United States, deposited in the bank of the United States and its branches, communicated to Congress on the third of December, 1833, are unsatisfactory and insufficient."

It was, in the first place, fit, that Mr. Clay should be the mover of these resolutions. His position entitled him to the honor, and his moral intrepidity qualified him for the duty. It is needless to inquire whether any other member of the senate would have done it, if he had not. A majority were ready to support him, as the result proved. The time had come, when, if any virtue remained in the republic akin to that which established it, a stand was to be taken for liberty. The main bulwark of freedom, to wit, the custody and independent control of the public purse, in the hands of the democratic branch of the government, had, within six months, been broken down, the funds of the nation seized and put beyond the reach of the constitutional keepers. It had been done in contempt of the special action of the house of representatives on the subject, at the previous session of Congress, in the shape of a resolution passed for the express purpose of deprecating and preventing this violence to the constitution and to public liberty. The twenty-second Congress had adjourned, on the 3d of March, 1833, having the day before recorded their opinion and their mandate, deciding—so far as they had authority and control in the case, both of which were independent and absolute—that the public funds should remain where they were, and that there was no cause of removal; and the twenty-third Congress assembled in December of the same year, to find, that the public funds had, notwithstanding, been abstracted! that they had neither penny, nor purse! that the constitution which had put both into their hands, and bid them keep and use them at their discretion, was a mere nullity! Even if there had been a question as to the expediency of the vote of the house, March 2, 1833, in a financial point of view; if the

public funds had been in jeopardy, no patriot would hesitate to say, better lose them all, and much more—any amount—than allow the constitution to be trampled in the dust. But the funds were not in jeopardy. The secretary—more properly the man who was put forward as the instrument to do this deed, for Mr. Taney was never a secretary of the treasury, but a mere *locum tenens* foisted into that place for an unlawful object—Mr. Taney never pretended that he removed the deposites, because he deemed them unsafe. On the contrary, knowing that they were perfectly safe, as the house of representatives had declared, he says in his report, "It is not necessary that the deposites should be *unsafe*, in order to justify the removal." The violation of the constitution, therefore, in thus contemning the authority and mandate of the only constitutional keepers of the public funds, was flagrant. And it was the more alarming, because it was not a mistake—a venial error—but a naked and meditated usurpation. It was done in the face of a protest; for no one will pretend to say, that the resolution of the house of representatives, of the 2d of March, 1833, declaring the public deposites safe in the bank of the United States, was not a protest in advance. The president, everybody, knew that such was the intention and character of that transaction. It was, therefore, against a remonstrance made by a party that was bound to make it, that the public purse was seized, and wrested from its constitutional custody; and as such, it was a very grave matter. It was an issue made by force and intention.

Unless, therefore, the democratic branch of the government was prepared to surrender at discretion; unless the only lawful keepers of the public funds, having been ravished, were so destitute of virtue, as to say, "we give up," there was no alternative but to record their opinion of this affair, and to renew their protest against this invasion of their appropriate domain—this violation of their rights—this obstruction to their high and paramount duties.

In this position of this and other questions between the democratic and executive branches of the government, when the latter was rapidly absorbing all the powers of both, it will be obvious, that, if a firm stand had not been taken at this time against these encroachments, it might soon have been too late. If any should say, the result proves, that the apprehensions then felt were groundless, it may be answered, that the result rather demonstrates the contrary. Notwithstanding all that was done to check the advance of regal power, it continued to increase, with even more

alarming strides, till both houses of Congress were brought under its feet, and made subservient to its will; and it was not till a complete revolution was proposed, for abolishing the old militia system, and substituting an enrolled army of two hundred thousand men, to be under command of the president, together with the project of confining all banking operations of the country to the secretary of the federal treasury, that the eyes of the people were opened, and they rose in 1840 to break the bands that had been forged for their subjection. It is fair to conclude, that the reason why these abuses of power did not proceed to greater extremities, was, because there was a determination in the democratic branch of the government, to assert and vindicate its own independent and constitutional rights. Though the resolutions at this time pending, and finally passed in substance, were afterward *expunged*, when regal power was high in the ascendant, it was nevertheless a conservative stand, and was doubtless one of the means of the final rescue.

When Mr. Clay rose in support of the resolutions above cited, he said in the most solemn manner:—

"We are in the midst of a revolution, hitherto bloodless, but rapidly tending toward a total change of the pure republican character of the government, and to the concentration of all power in the hands of one man. The powers of Congress are paralyzed, except when exerted in conformity with his will, by frequent and ar extraordinary exercise of the executive veto, not anticipated by the founders of our constitution, and not practised by any of the predecessors of the present chief magistrate. And, to cramp them still more, a new expedient is springing into use, of withholding altogether bills which have received the sanction of both houses of Congress, thereby cutting off all opportunity of passing them, even if, after their return, the members should be unanimous in their favor. The constitutional participation of the senate in the appointing power is virtually abolished by the constant use of the power of removal from office, without any known cause, and by the appointment of the same individual to the same office, after his rejection by the senate. How often have we, senators, felt that the check of the senate, instead of being, as the constitution intended, a salutary control, was an idle ceremony? How often, when acting on the case of the nominated successor, have we felt the injustice of the removal? How often have we said to each other, well, what can we do? The office can not remain vacant, without prejudice to the public interest, and if we reject the proposed sub stitute, we can not restore the displaced; and, perhaps, some more unworthy man may be nominated."

It will be seen, that the above-cited paragraph comprehends a variety of topics. The usurpations of the executive were not confined to the removal of the deposites, against the will and orders of their rightful keepers, but they were branching out in all directions. "We are in the midst of a revolution," said Mr. Clay. Executive vetoes; the unprecedented practice of pocketing bills remitted from Congress, after having been passed, for the sanction of the president, and thus barring the legislature from the constitutional right of acting upon them, if vetoed, and passing them by a vote of two thirds, if they could; the arbitrary removals from office, and arbitrary appointments, without consulting the co-ordinate power, for the very purpose of robbing that power of the chance of using its constitutional prerogative—a practice which could easily be made to answer any and the worst designs of a despot;—these high and regal powers, in their various ramifications—especially the latter, which, in its practical operation, was the most objectionable and most alarming of all—were not simply stealing, but had stolen, their march on the democratic platform of the constitution, and wrested from the democratic branch of the government its rightful claims. The bank of the United States, against the paramount—or what ought to have been the paramount—will of this branch of the government, had been destroyed; the land bill, which was so much in favor with the democratic branch, that it would have passed by two thirds in both houses, against a veto, was unlawfully retained, for the sole purpose of controlling this result; removals from office were constantly being made, and substitutes thrust into their places, to thwart "the advice and consent of the senate," and accomplish the regal designs of the executive; and to crown all, the secretary of the treasury, the employée of Congress, had been forced to retire, by executive mandate, because his conscience would not allow him to disobey the orders of his principals, and a man of easier conscience was put forward, without investiture, to violate the constitution of the country!

But this was not all. Mr. Clay went on to say:—

"The judiciary has not been exempt from the prevailing rage for innovation. Decisions of the tribunals, deliberately pronounced, have been contemptuously disregarded, and the sanctity of numerous treaties openly violated. Our Indian relations, coeval with the existence of the government, and recognised and established by numerous laws and treaties, have been subverted, the

rights of the helpless and unfortunate aborigines trampled in the dust, and they brought under subjection to unknown laws, in which they have no voice, promulgated in an unknown language. The most extensive and most valuable public domain that ever fell to the lot of one nation, is threatened with a total sacrifice. The general currency of the country—the life-blood of all its business—is in the most imminent danger of universal disorder and confusion. The power of internal improvement lies crushed beneath the veto. The system of protection of American industry was snatched from impending destruction, at the last session; but we are now coolly told by the secretary of the treasury, without a blush, 'that it is understood to be *conceded on all hands*, that the tariff for protection merely is to be finally abandoned.' By the third of March, 1837, if the progress of innovation continues, there will be scarcely a vestige remaining of the government and its policy, as they existed prior to the third of March, 1829. In a term of eight years, a little more than equal to that which was required to establish our liberties, the government will have been transformed into an elective monarchy—the worst of all forms of government.

"Such is a melancholy but faithful picture of the present condition of our public affairs. It is not sketched or exhibited to excite, here or elsewhere, irritated feeling. I have no such purpose. I would, on the contrary, implore the senate and the people to discard all passion and prejudice, and to look calmly, but resolutely, upon the actual state of the constitution and the country. Although I bring into the senate the same unabated spirit, and the same firm determination which have ever guided me in the support of civil liberty, and the defence of our constitution, I contemplate the prospect before us with feelings of deep humiliation and profound mortification.

"It is not among the least unfortunate symptoms of the times, that a large portion of the good and enlightened men of the Union, of all parties, are yielding to sentiments of despondency. There is, unhappily, a feeling of distrust and insecurity pervading the community. Many of our best citizens entertain serious apprehensions, that our Union and our institutions are destined to a speedy overthrow. Sir, I trust that the hopes and confidence of the country will revive. There is much occasion for manly independence and patriotic vigor, but none for despair. Thank God, we are yet free; and, if we put on the chains which are forging for us, it will be because we deserve to wear them. We should never despair of the republic. If our ancestors had been capable of surrendering themselves to such ignoble sentiments, our independence and our liberties would never have been achieved. The winter of 1776–'7 was one of the gloomiest periods of the revolution; but on *this day*, fifty-seven years ago, the father of his

country achieved a glorious victory, which diffused joy and gladness and animation throughout the states. Let us cherish the hope that, since he has gone from among us, Providence, in the dispensation of his mercies, has near at hand in reserve for us, though yet unseen by us, some sure and happy deliverance from all impending dangers.

"When we assembled here last year, we were full of dreadful forebodings. On the one hand we were menaced with a civil war, which, lighting up in a single state, might spread its flames throughout one of the largest sections of the Union. On the other, a cherished system of policy, essential to the successful prosecution of the industry of our countrymen, was exposed to imminent danger of immediate destruction. Means were happily applied by Congress to avert both calamities; the country was reconciled, and our Union once more became a band of friends and brothers. And I shall be greatly disappointed, if we do not find those who were denounced as being unfriendly to the continuance of our confederacy, among the foremost to fly to its preservation, and to resist all executive encroachment.

"Mr. President, when Congress adjourned, at the termination of the last session, there was one remnant of its powers, that over the purse, left untouched. The two most important powers of civil government are, those of the sword and the purse. The first, with some restriction, is confided by the constitution to the executive, and the last to the legislative department. If they are separate, and exercised by different responsible departments, civil liberty is safe; but if they are united in the hands of the same individual, it is gone. That clear-sighted and sagacious revolutionary orator and patriot, Patrick Henry, justly said, in the Virginia convention, in reply to one of his opponents: 'Let him candidly tell me where and when did freedom exist, when the sword and purse were given up from the people? Unless a miracle in human affairs interposed, no nation ever retained its liberty after the loss of the sword and the purse? Can you prove by any argumentative deduction, that it is possible to be safe without one of them? If you give them up, you are gone.'"

General Jackson, having made up his mind to usurp the charge of the purse of the nation, after various pretences of taking advice, called a meeting of his cabinet on the 18th of September, 1833, and read to them a paper declaratory of that purpose, in which he said: "The president begs his cabinet to consider the proposed measure as *his own*, in the support of which he shall require no one of them to make a sacrifice of opinion or principle. ITS RESPONSIBILITY HAS BEEN ASSUMED."

But there was a difficulty, in the way—more than one, indeed.

If the deed were not done forthwith, the debate that might arise, and the expressions of public opinion, might become formidable. It was, therefore, resolved, that it should be done the first day of October, then ensuing. But Mr. Duane, the Secretary of the Treasury, had scruples. He could not be persuaded to such a violation of law. His feelings were known to the president, when this document was read, and one of its purposes, if not its chief one, was as a hint to the secretary, that he must do it, or retire. It was no doubt understood, at the moment, between the parties concerned, that Mr. Taney, then attorney-general, and member of the cabinet, would become the willing instrument of executing the president's designs. Mr. Duane, however, desirous of saving General Jackson from such responsibility, if indeed he could hope to put a bar in the way of his will, declined throwing up his commission, and resolved to remain passive, notwithstanding he had once given the president to understand, that, if he could not comply with his wishes, he would vacate his place.

It should be observed, that this document, read to the cabinet on the 18th of September, was apparently an official one, though altogether novel in its character and place. That it did not come within the range of the president's constitutional functions, is clear enough, since, as shown, the treasury was by law purposely put beyond his reach. The inhibition against his putting his hand into the treasury, or having anything to do with it officially, was more especially directed against him, than against any officer or citizen of the republic, because danger did not arise so much from other quarters as from this. These laws were made chiefly with the design of keeping the purse and the sword for ever asunder—of barring the end which was arrived at by this single and bold step. It was not a gradual insinuation, in the manner of the usual advances of unlawful power—but one leap, one bound, by which the president seized on the treasury of the nation, and took charge of it. He knew that it was then, or never. Congress, aware that such a purpose was entertained in that quarter, had, in the action of one of its branches, by a decisive vote, thrown out an admonition to the executive to beware; and in about sixty days from the time fixed to commit the deed, Congress would be again in session, and probably disposed to protest most solemnly against such an infraction of the constitution, and such a violation of their rights.

But was this anomalous document, of the 18th of September,

official? If the act announced, and apparently authorized by it, was unlawful, how could it be official? Clearly, it must necessarily fall within one of two categories—an official transaction, or a bald usurpation. If official, Congress had a right to an officially certified copy, whenever demanded, except for temporary reasons of expediency, existing in the breast of the president, against a present publication. But it had already been published, as emanating from that source.

On the 11th of December, the senate, thinking it incumbent upon them to take this business of a violated treasury in hand, and justly considering that this document, occupying so important a position, was indispensable to a full understanding of the subject, and ought to be officially communicated to Congress, if the transaction was official, made a respectful call on the president, as is usual when either branch of Congress thinks it has occasion for an executive paper; and on the next day received a message from the president, declining to comply with the request. It will be seen, that this refusal was, either a disrespect to the senate, and a violation of usage in the intercourse between these two branches of the government, or a tacit confession, that the act of removing the deposites was a usurpation, and as such, would be managed by the same will which had originated and executed the measure. That the president was not reluctant to show a disrespect to the senate, was perhaps true; but it will naturally be surmised, that, in addition to this, he intended to take higher ground, and to intimate to the senate, that this was a matter which did not concern them. Of course, then, it was a usurpation. For, down to the 1st of October, 1833, the care of the treasury and of the public funds had, by provisions of law, been in charge of the democratic branch of the government, and nothing but an unlawful act could wrest them from that custody.

But the conference held by the president with his cabinet, on the 18th of September, had two remarkable features: one an appearance of asking counsel, in the words which announced that all the responsibility was assumed by the executive. Having resolved on an *auto da fé*, he convoked an assembly of officials to witness the sacrifice! But he had before privately consulted these dignitaries, all of whom were doubtless sensible of the enormity of the proposed measure; but the majority had found reasons to assent. The most remarkable feature of this consultation is, that it was asking advice of *executive* officers, whether he should take in charge

the business of another branch of the government, and endeavoring to obtain their countenance and support. He asked the opinion of the secretary of war as to the duties of the secretary of the treasury, and so on, round the circle. It is obvious, that he might with equal propriety have solicited their opinion as to the duties of the secretary of the senate, or of the sergeant-at-arms of the house of representatives, with a view to issue his orders to those employées of the democratic branch, since the secretary of the treasury sustained precisely the same relation to Congress, though of a different denomination, and having his own specific duties prescribed by laws of Congress. The latter was none the less an agent of that body, than the two former—not less amenable to it, nor less subject to their orders. In this view, the cabinet meeting on the 18th of September, was, indeed, a remarkable spectacle. They were obliged to hear a decision pronounced, which humiliated themselves, and humiliated the nation : " The president begs his cabinet to consider the proposed measure as *his own. Its responsibility is assumed.*" He had endeavored to obtain unanimity, failed, and now assembled them, to say, he would do it on his own account.

The following are remarks of Mr. Clay, on this stage of the transaction :—

" Sir, is there a senator here who will tell me that this removal was not made by the president? I know, indeed, that there are in this document many of those most mild, most gracious, most condescending expressions, with which power too well knows how to clothe its mandates. The president coaxes, he soothes the secretary, in the most bland and conciliating language :—

" ' In the remarks he has made on this all-important question, he *trusts* the secretary of the treasury will see only the frank and *respectful* declarations of the opinions which the president has formed on a measure of great national interest, deeply affecting the character and usefulness of his administration ; and *not a spirit of dictation*, which the president would be as *careful to avoid*, as ready to resist. Happy will he be, if the facts now disclosed produce uniformity of opinion and unity of action among the members of the administration.'

" ' Sir, how kind ! how gentle ! How very gracious must this have sounded in the gratified ear of the secretary of the treasury ! Sir, it reminds me of an historical anecdote, related of one of the most remarkable characters which our species has ever produced. While Oliver Cromwell was contending for the mastery of Great Britain, or Ireland (I do not now remember which), he besieged a certain catholic town. The place made a stout resistance ; but at length the town being likely to be taken, the poor catholics pro-

posed terms of capitulation, stipulating therein for the toleration of their religion. The paper containing the terms was brought to Oliver, who, putting on his spectacles to read it, cried out: 'Oh granted, granted, certainly;' he added, however, 'but if one of them shall dare to be found attending mass, he shall be hanged. Under what section is not mentioned—whether under a second, or any other section of any particular law, we are not told.

"Thus, sir, the secretary was told by the president, that he had not the slightest wish to dictate—oh, no; nothing is further from the president's intention; but, sir, what was he told in the sequel? 'If you do not comply with my wishes—if you do not effect the removal of these deposites within the period I assign you—you must quit your office.' And what, sir, was the effect? This document bears date on the eighteenth of September. In the official paper, published at the seat of government, and through which it is understood that the government makes known its wishes and purposes to the people of the United States, we were told, under date of the twentieth of September, 1833, two days only after this cabinet paper was read, as follows:—

"'We are authorized to state'—[*authorized*—this is the word which gave credit to this annunciation]—'We are authorized to state, that the deposites of the public money will be changed from the bank of the United States to the state banks, as soon as necessary arrangements can be made for that purpose; and that it is believed they can be completed in Baltimore, Philadelphia, New York, and Boston, in time to make the change *by the first of October, and perhaps sooner*, if circumstances should render an earlier action necessary on the part of the government.'

"Yes, sir, on the eighteenth of September this measure was decided on; and on the twentieth, it is announced to the people, that the deposites would be removed by the first of October, or sooner, if practicable. Mr. Duane was continued in office till the twenty-third, on which day he was dismissed; and between the twenty-third and the twenty-sixth, on which latter day the mere clerical act of signing the order for removal was performed, Mr. Taney, by whom it was done, was appointed secretary of the treasury, having conformed to the will of the president, against his own duty, which Mr. Duane would not do. Yes, sir, on the twentieth went forth this proclamation, by authority, of the removal of the deposites, although Mr. Duane remained in office till the twenty-third. On this point we have conclusive proof in a letter of the president to that gentleman, dated on the twenty-third, which letter, after all the gracious, friendly, and conciliating language of the cabinet paper, concludes in these terms:—

"'I feel constrained to notify you, that your further services as secretary of the treasury are no longer required.'

"Such, Mr. President, is the testimony on the one side to prove

the truth of the proposition, that the removal of the deposites from the bank of the United States, was a measure determined on by the president himself—determined on while the latter secretary of the treasury was still in office, and against the will of the secretary; and although Mr. Taney may have put his signature to the order on the twenty-sixth—a mere ministerial act, done in conformity with the previous decision of the president—that the removal should take place on or before the first of October.

"I now call the attention of the senate to testimony of the other party—I mean Mr. Duane. After giving a history of the circumstances which accompanied his appointment to office, and what passed antecedently to his removal, he proceeds to say:—

"'Thus was I thrust into office; thus was I thrust from office; not because I had neglected any duty; not because I had differed with him about the bank of the United States; but because I refused, without further inquiry by Congress, to remove the deposites!'

"Can testimony be more complete to establish the proposition I have advanced? And is it possible—after the testimony of the president on one side, and of his secretary on the other, that the former had decided that the deposites should be removed, and had removed the secretary because he would not do it—that any man can doubt that the removal was the president's own act?—that it was done in accordance with his command?"

Mr. DUANE's address to the people of the United States, from Philadelphia, of December 2, 1833, with the correspondence between himself and the president, pending their debate on the removal of the deposites, which terminated in Mr. Duane's dismissal from office, is deemed of sufficient importance and interest for a place here, and will be found in the note below.* It will doubt-

* TO THE PEOPLE OF THE UNITED STATES.

FELLOW-CITIZENS: I announced on the 20th ultimo, that, at an early day, I would appear before you, at least to repel imputations cast upon my character, contained in a publication in the Globe, the official paper of the executive, of the preceding day. If the calumnious attack referred to, had not been obviously sanctioned by the president of the United States, such is the character of the newspaper under his protection, that I should not have felt myself called upon to notice it. In addressing you, I have hesitated between the adoption of a general exposition, and of a brief defensive address, accompanied by that part of the correspondence between the president and myself, which the official paper seems to have challenged me to produce. I adopt the latter course. In the correspondence you will find ample materials for the accurate comprehension of my case—one of insult and oppression.

On the 14th of December, 1832, without any solicitation on my part, I was unexpectedly invited to accept the office of secretary of the treasury. I sought to shun the station, did not consent to serve, until asked for my decision on the 30th of January, and then consented reluctantly. No doubt, subsequently to, as before, the adjournment of Congress, speculators, for their own selfish ends, agitated the deposite question, and kept up an excitement felt by the president; but it was never intimated to me, that he desired to concentrate in himself the power to

less be felt, that it places Mr. Duane in a high and proud position, besides that it sheds a light on this point of the political history of the country, which could not be derived from any other quar-

judge and execute—to absorb the discretion given to the secretary of the treasury —and even to nullify the law itself. I never heard, until after my entry into office, that he meant to remove the deposites, without further inquiry by Congress, or that he had asked the opinion of the members of the cabinet on the subject. On the contrary, when, after having entered the treasury department, unpledged, untrammelled, and unsuspicious, I was informed of what was meditated, I felt surprise at the intelligence, and mortification at the manner in which it was communicated to me. On the 3d of June, the president himself made known to me what was in contemplation, and that he had taken the opinions of the members of the cabinet on the point—two of whom concurred with him, two of whom did not concur, and the fifth had not yet given a written opinion. He said he would submit to me the written *opinions* of the four members of the cabinet, with his own *views*, and that he would expect me to give him my opinion frankly and fully. As if to urge me to avoid all reserve, he assured me, in a letter, dated Boston, June 26, transmitting the OPINIONS and VIEWS, that "it was not his intention to interfere with the independent exercise of the discretion committed to me by law over this subject."

But when, on the 10th July, I gave my opinion frankly and fully, as an honest minister and man should do, there was every return but that of approbation. On the 22d of July I was asked, whether it was my intention to refuse to remove the deposites, if, after inquiry by an agent, and advisement with the cabinet, the president should decide to remove them, as, in such a case, "it would become his duty, in frankness and candor, to suggest the course, that would be necessary on his part."

Not on my own account, but as an act of duty to the country, I now subjected my pride and feelings to restraint, by tendering, in order to avert a present hostile breach, a future surrender of my post, in case I should not ultimately concur with the president. But before my concurrence or nonconcurrence was made known, and while I still held in my hands the manuscript exposition, which was read in the cabinet on the 18th of September, and then delivered to me by the president for my consideration, he virtually dismissed me as an officer, and insulted me as a man, by causing the official communication, hereto appended (No. 1), to be published in the GLOBE on the 20th of September.

Yet, after this, when it must have been obvious, that, independently of other considerations of great weight, I was absolved from all respect for any past assurance, my letter (No. 2), which I personally presented to the president, on the 21st of September, according to my promise of September 19, was contumeliously sent back to me, in a letter (No. 3), intimating the existence of improper imputations in mine, calling my attention to my assurance of July 22, and inquiring whether I could concur in removing the deposites. From this letter (No. 3), it must be evident, that when it was written, my dismissal was not then deemed justifiable on grounds subsequently suggested; for, when the president wrote it, he knew the contents of the letter deemed offensive, and yet he held the correspondence open.

What, then, I ask, subsequently occurred? Instead of treating this new indignity, the return of my letter, with silence, or evincing any other mode of dissatisfaction, I felt that I was on duty at a public post, and that I ought not to suffer it to be taken by surprise. I could not now mistake, in concluding to insult me out of office, or to draw from me some expression which might form a pretext for my removal, on a minor point—so doubtful was the president, after all, on the propriety of removing an officer for not yielding, when desired, the discretion given to him by law. Accordingly, I sent letter No. 4—subsequently, withdrawn for alteration—and then letters Nos. 5 and 6—No. 5 especially—because the president did not seem to comprehend me, when, in my letter No. 2, I said, that, after what had occurred subsequently to July 22, I felt myself absolved from all obligation to observe the assurance given at that time.

These last appeals, indicative of anything but bad feeling, or disrespect, were also sent back to me, in a letter (No. 7), declaring my services no longer necessary. I submit to all just men to determine, by whom an assurance was given, and without cause disregarded.

ter. Till this time, he was an ardent admirer and devoted friend of General Jackson, and his leave-taking on this occasion, is apparently in the spirit of one still disposed to look back with an affection, equalled only by his mortification and regret.

Thus was I thrust from office—not because I had neglected any duty—not because I had differed with the president on any other point of public policy—not because I had differed with him about the bank of the United States—but, because I refused, without further inquiry or action by Congress, to remove the deposites. If, in my letter (No. 2), there is anything that should not have been there, I ask it to be borne in mind, that it was written under a deep sense of injury and insult. I appeal to all prior letters and intercourse, to show, that I had not on any occasion forgotten my respect for the chief magistrate, or for myself; and I deny that, in any letter, there was inaccuracy of fact, with my knowledge. As I considered my removal inevitable, I asked, in my personal interview, and by letter (No. 6), such order, as, when shown to the representatives of the people, would be my apology for leaving the station under my care. Had such order been given, all subsequent unpleasantness would have been prevented. For the present result, I am not accountable.

If any doubt existed as to the propriety of submitting the annexed letters to the public eye, it is removed by the example set by the president in the attack which he has sanctioned, and against which this is my defence. I appeal to the justice and generosity of all publishers of newspapers, who have inserted therein the attack upon me, whether I have not a claim upon them to allow me to be heard, by publishing the present letter, and the annexed documents.

W. J. DUANE.

PHILADELPHIA, *December* 2, 1833.

No. 1.

(*From the Globe of September* 20, 1833.)

We are AUTHORIZED to state, that the deposites of the public money will be changed, from the bank of the United States to the state banks, as soon as necessary arrangements can be made for that purpose, and that it is believed they can be completed in Baltimore, Philadelphia, New York, and Boston, in time to make the change the first of October, and perhaps sooner, if circumstances should render an earlier action necessary on the part of the government.

It is contemplated, we understand, not to remove at once the whole of the public money now on deposite in the bank of the United States, but to suffer it to remain there until it shall be gradually withdrawn by the usual operation of the government. And this plan is adopted in order to prevent any necessity, on the part of the bank of the United States, for pressing upon the commercial community; and to enable it to afford, if it think proper, the usual facility to the merchants. It is believed, that, by this means, the change need not produce any inconvenience to the commercial community, and that circumstances will not require a sudden and heavy call on the bank of the United States, so as to occasion embarrassment to the institution or the public.

No. 2.

(*The Secretary of the Treasury to the President of the United States.*)

TREASURY DEPARTMENT, *September* 21, 1833.

SIR: I have the honor to lay before you—

1. A copy of my commission, empowering and enjoining me to execute my duty according to law, and authorizing me to hold my office at your pleasure.

2. A copy of my oath of office, wherein I solemnly pledge myself to execute the trust confided to me with fidelity.

3. A copy of the 16th section of the law chartering the bank of the United States, whereby the discretion to continue the deposites of the public money in that bank was committed to the secretary of the treasury alone.

4. An extract from your letter to me of the 26th of June, wherein you promise not to interfere with the independent exercise of the discretion committed to me by the (abovementioned) law over the subject.

It may also be observed in this place, as an instructive item of history on this subject, that the Hon. Louis McLane, the immediate predecessor of Mr. Duane in the treasury department, whose opinion was known to be against the removal of the deposites, had

5. An extract from your exposition of the 18th instant, wherein you state, that you do not expect me, at your request, order, or dictation, to do any act which I may believe to be illegal, or which my conscience may condemn.

When you delivered to me on the 18th the exposition of your views, above referred to, I asked you whether I was to regard it as direction by you to me to remove the deposites, you replied that it *was* your direction to me to remove the deposites, but upon your responsibility; and you had the goodness to add, that, if I would stand by you, it would be the happiest day of your life.

Solemnly impressed with a profound sense of my obligations to my country and myself, after painful reflection, and upon my own impressions, unaided by any advice, such as I expected, I respectfully announce to you, sir, that I refuse to carry your directions into effect.

1. Not because I desire to frustrate your wishes, for it would be my pleasure to promote them, if I could do so consistently with superior obligations.

2. Not because I desire to favor the bank of the United States, to which I ever have been, am, and ever shall be, opposed.

3. Not to gratify any views, passions, or feelings of my own—but

4. Because I consider the proposed change of the depository, in the absence of all necessity, a breach of the public faith.

5. Because the measure, if not in reality, appears to be vindictive and arbitrary, not conservative or just.

6. Because if the bank has abused or perverted its powers, the judiciary are able and willing to punish; and in the last resort, the representatives of the people may do so.

7. Because the last house of representatives of the United States pronounced the public money in the bank of the United States safe.

8. Because, if under new circumstances, a change of depository ought to be made, the representatives of the people, chosen since your appeal to them in your veto message, will in a few weeks assemble, and be willing and able to do their duty.

9. Because a change to local and irresponsible banks will tend to shake public confidence, and promote doubt and mischief in the operations of society.

10. Because it is not sound policy in the Union, to foster local banks, which, in their multiplication and cupidity, derange, depreciate, and banish the only currency known to the constitution, that of gold and silver.

11. Because it is not prudent to confide, in the crude way proposed by your agent, in local banks, when on an average of all the banks, dependent in a great degree upon each other, one dollar in silver can not be paid for six dollars in circulation.

12. Because it is dangerous to place in the hands of the secretary of the treasury, dependent for office on executive will, a power to favor or punish local banks, and consequently make them political machines.

13. Because the whole proceeding must tend to diminish the confidence of the world in our regard for national credit or reputation, inasmuch as, whatever may be the abuses of the directors of the bank of the United States, the evil now to be endured must be borne by innocent persons, many of whom, abroad, had a right to confide in the law, that authorized them to be holders of stock.

14. Because I believe, that the efforts made in various quarters, to hasten the removal of the deposites, did not originate with patriots or statesmen, but in schemes to promote selfish or factious purposes.

15. Because it has been attempted, by persons and presses known to be in the confidence and pay of the administration, to intimidate and constrain the secretary of the treasury to execute an act in direct opposition to his own solemn convictions.

And now, sir, having, with a frankness that means no disrespect, and with feelings such as I lately declared them to be, stated to you WHY I refuse to execute what you direct, I proceed to perform a necessarily connected act of duty, by an-

been advanced to the department of state, to give place, as was supposed, to a man who might be subservient to this measure; and the fact, that the object of calling Mr. Duane to that station,

nouncing to you, that I do not intend voluntarily to leave the post, which the law has placed under my charge, and by giving you my reasons for so refusing.

It is true, that on the 22d of July, you signified, in language sufficiently intel ligible, that you would then remove me from office, unless I would consent to remove the deposites on your final decision; it may also be true, that I should then have put it to the test; and it is also true, that, under a well-grounded assurance that your bank plan, the only one then embodied in the instructions drawn up by me for your agent, would be, as it proved, abortive, that for this and other causes you would be content, I *did* state my willingness to retire, if I could not concur with you.

But I am not afraid to meet the verdict of generous men, upon my refusal, on reflection, and after what has since occurred, to do voluntarily what I then believed I should be asked to do. If I had a frail reputation, or had any sinister purpose to answer, I might be open to censure, for a neglect of punctilious delicacy; but I can have no impure motives; much less can I attain any selfish end; I barely choose between one mode of retirement and another; and I choose that mode which least of all I should have preferred, if I had not exalted and redeeming considerations in its favor.

I have, besides, your own example. I do not say, that, after you had promised "not to interfere with the independent exercise of the discretion vested in me by law," you were wrong in interfering, if you really thought the public welfare a superior consideration to a mere observance of assurances made to me; nor can you say, that I err, when, upon a solemn sense of duty, I prefer one mode of removal from this station to another.

This course is due to my own self-preservation, as well as to the public; for you have, in all your papers, held out an assurance, that you "would not interfere with the exercise of the discretion committed to me by law," over the deposites; and yet, everything but actual removal of me from office, has been done to affect that end. So that, were I to go out of office voluntarily, you might be able to point to official papers, that would contradict, if I said you interfered, and I should thus be held up as a weak or faithless agent, who regarded delicacy not shown to himself more than duty to his trust.

Sir, after all, I confess to you that I have had scruples; for it is the first time that I have ever condescended to weigh a question of the kind. But I am content that it shall be said of me, that in July last I forgot myself, and my duty too, rather than that it should be said, that now, knowing the course that you pursue, I had in any way favored it. On the contrary, if I have erred, I am willing to be reproved; but my motives no man can impugn.

My refusal to resign can not keep me, one moment longer than you please, in an office that I never sought, and at a removal from which I shall not grieve on my own account. It must, on the contrary, hasten my exit. So that, if you shall proceed in wresting from the secretary of the treasury the citadel in his possession, the act can only be accomplished by a mandate, which will be my apology for no longer standing in the breach.

And now, sir, allow me to repeat to you, in sincerity of heart, that, in taking the present course, under a solemn sense of my obligations, I feel a sorrow on your account, far greater than on my own. I have been your early, uniform, and steadfast friend; I can have no unkind disposition, but shall cherish those of a kind nature, that I feel. You proudly occupy the hearts of your countrymen; but still, it is the lot of humanity, at times, to err. I do ample justice to your motives; but I am constrained to regret your present proceedings, and I devoutly wish, that you may live to see all my forebodings contradicted, and your measures followed by results beneficial to your country, and honorable to yourself.

With the utmost consideration, your obedient servant,

W. J. DUANE.

No. 3.

(*The President of the United States to the Secretary of the Treasury.*)

WASHINGTON, *September* 21, 1833.

SIR: After you retired, I opened and read the paper you handed me. I here

was not disclosed to him, would seem to indicate a degree of timidity in the president at that time, which was subsequently supplanted by a bolder purpose.

with return it as a communication which I can not receive. Having invited the free and full communication of your views, before I made up a final opinion upon the subject, I can not consent to enter into further discussion of the question.

There are numerous imputations in the letter, which can not, with propriety, be allowed to enter into a correspondence between the president and the head of a department. In your letter of July last, you remark: "But, if, after receiving the information, and hearing the discussion, I shall not consider it my duty, as a responsible agent of the law, to carry into effect the decision that you may then make, I will, from respect to you, and for myself, afford you an early opportunity to select a successor, whose views may accord with your own, on the important matter in contemplation." My communication to my cabinet was made under this assurance received from you; and I have not requested you to perform anything which your sense of duty did not sanction. I have merely wished to be informed, whether, as secretary of the treasury, you can, consistently with your opinion on the subject of the deposites, adopt such measures in relation to them, as, in my view, the public interests, and a due execution of the law render proper. If you will now communicate that information, it will confer an obligation on

Your obedient servant,

ANDREW JACKSON.

No. 4.

(The Secretary of the Treasury to the President of the United States.)

TREASURY DEPARTMENT, *September* 21, 1833.

SIR: I have the honor to acknowledge the receipt of your note, returning the communication that I presented to you this morning. The grounds on which it is returned, are, that further discussion of the deposite question is unnecessary, and that there were imputations therein, that could not be admitted into a correspondence between the president and the head of a department.

Allow me respectfully to say, that it was not with a view to a further discussion, that I presented my reasons for declining to act, agreeably to your direction, in removing the deposites, but to justify my refusal; nor was it my desire or my intention, that any matter contained in my letter, should be disrespectful, or open to such a supposition. That anything therein should be so construed, I very much regret. My object throughout was to justify the course, on the two points stated in my letter, which, under the most solemn impressions, I felt it to be my duty to pursue.

To show you my obligations, I presented a copy of my commission, a copy of my oath of office, and a copy of the law giving the secretary of the treasury the discretion to change the public depository; to show you upon what I relied in my course of conduct, I quoted your letter of June 26, and your exposition of the 18th instant. In order to justify my refusal to resign, I described the circumstances under which your letter of July 22, and my reply of the same date, were written, and showed the new posture in which I was placed, by subsequent reflection and occurrences.

When I entered your administration, I had no knowledge that you had come to any decision on the deposite question, or that you meditated a change of depository without the action of Congress. As soon as I was made acquainted with your views, I anxiously sought to accord with them; and as you invited a full disclosure of my thoughts, by assuring me in your letter of the 26th of June, that you did not intend to interfere with the independent exercise of the discretion committed to me by the law over the deposites, I opened myself freely to you against any change of the depository. At all subsequent stages, although I have kept myself open to explanation, I have invariably declined to make that change, and I remain in the same resolution still.

Permit me respectfully to say, that I am not aware that my willingness or unwillingness to afford you an opportunity to select a successor, would have had any influence or bearing upon any question before the cabinet; but I am willing to meet that consideration, as well as those stated to you this day in our interview.

"And now, sir [said Mr. Clay], having seen that the removal was made by the command and authority of the president, I shall proceed to inquire whether it was done in conformity with the constitution and laws of the United States.

In short, sir, as I stated in that interview, my course is justificatory toward you. I desire no unkind feeling; I have no unkind purpose. However ardent, or unusual, my language may be, it is at least sincere. Allow me, then, very respectfully to state, as declared at our interview, that, under the most serious convictions of my duty, I refuse to aid, assist, or in any way participate, in the proposed change of the public depository; that I refuse to relinquish a post conferred upon me by the law; and that, without, in the most remote degree, meaning any sort of disrespect to you, I protest against any interference on your part, with powers and duties which, I believe, were designedly withheld from the president, and committed to the secretary of the treasury, the fiscal agent of the law.

With fervent wishes that your measures may conduce to the advantage of your country, and to the honor of yourself, I am, with the utmost consideration, your obedient servant,

W. J. DUANE.

No. 5.

(*The Secretary of the Treasury to the President of the United States.*)

TREASURY DEPARTMENT, *September* 21, 1833.

SIR: Allow me, with great respect, to present to you another view, in addition to those presented to you in my letter of this date.

If I understand your wish, as it is to be collected from your note of this date, which I have just now again perused, it is to hold me, on principles of delicacy, at least, to my assurance of July 22, that, unless I agreed with your decision, after inquiry and discussion, I would promptly afford you an opportunity to obtain a successor according in your views. I pray you dispassionately to consider, whether you did not absolve me, even upon principles of delicacy, from all obligation upon this view of the matter.

1. On Wednesday, September 18, I signified, in cabinet, my desire to take and examine your exposition. You gave it to me, saying, in reply to my inquiry, as to your direction, that I was to consider myself directed to act on your responsibility.

2. On Thursday morning, September 19, you applied to me to know, if I had come to a decision, and I returned by your messenger, who brought your note, this reply:—

"*To the President of the United States:*

"SIR: Upon a matter that deeply concerns, not only myself, but all who are dear to me, I have deemed it right, as I have not a friend here to advise with, to ask the counsel of my father at this crisis. I wrote to him last night, and am sure that nothing but sickness will prevent his presence to-morrow night. On the next day, I trust that I shall be able to make a communication to you.

"With the utmost respect, your obedient servant,

"*September* 19, 1833." "WM. J. DUANE.

3. On the same day (Thursday, 19th September), your private secretary, Major Donaldson, called on me to say, that you proposed to publish in the Globe of next day, your decision. I replied, that I thought you ought not; that I was not a party to it, and as a matter of delicacy to myself, could not approve of it. Lest words should be forgotten, I wrote, and delivered to Maj. Donaldson, this reply:—

"*A. J. Donaldson, Esq.:*

"DEAR SIR: The world is so censorious, that I am obliged, upon reflection, to express to you my hope, that you will not regard me as approving of any publication. It would seem to be but delicate to defer such an act, until I shall either concur or decline. However, all that I desire to have understood, is, that I do not approve of the course you mentioned. Were I the president, I would consult, at least reasonably the feelings of a man who has already anxiety enough. As to the newspapers, they will know what has been done, without an official communication.

"Very respectfully, yours,

"*September* 19, 1833." "W. J. DUANE

"I do not purpose at this time to go into the reasons alleged by the president or his secretary, except so far as those reasons contain an attempt to show that he possessed the requisite authority. Because if the president of the United States had no power to do

4. In the Globe of Friday, September, 20, you caused it be announced to the world, that the die was cast; thus altogether disregarding the rights of the secretary of the treasury, and my own feelings and fame; and refusing, besides, to wait even until the next day to receive my decision.

Allow me, therefore, very respectfully, but confidently, to say, that I was thus discharged from any sort of obligation, or respect for, or on account of, the past. You gave me no opportunity to let you know, whether I would or would not afford you an opportunity to choose a successor. In short, the secretary of the treasury was, as far as an executive act would do it, nullified; and I hold it, therefore, that, after such a course, I may stand before my country, acquitted of any disregard, even of delicacy.

Trusting, sir, that you will be so good as to permit this to enter into your consideration, with my former note of this date, and that we may close, without discredit to either, the pending matter, I am, with the utmost consideration, your obedient servant,

W. J. DUANE.

No. 6.

(The Secretary of the Treasury to the President of the United States.)

TREASURY DEPARTMENT, *September* 21, 1833.

SIR: As you had not, in any written communication, given a direction as to the deposites, but, on the contrary, had left the action to the secretary of the treasury, as a matter of option, I deemed it my duty, when I had the honor to receive from you, your exposition of the 18th inst., to ask you, whether I was to consider myself directed to remove the deposites, and you replied, that I was directed on your responsibility.

I was preparing to lay before you an exposition of our relative position and views, from the first moment of my entry into your administration, when your decision was authoritatively announced in the Globe—a proceeding unsanctioned by me, that rendered all further discussion needless, and any attempt of the kind derogatory to myself.

A communication justificatory of my course, under present circumstances, which I delivered to you yesterday, having been returned, on account of alleged objectionable matter therein, the presence of which, if disrespectful, I regret. It now becomes my duty, in reply to your letter, returning that communication, respectfully to announce my unwillingness to carry your direction, as to the deposites, into effect; and in making known that determination—without meaning any sort of disrespect—to protect myself, by protesting against all that has been done, or is doing, to divest the secretary of the treasury, of the power to exercise, independent of the president, the discretion committed to him by law over the deposites.

I have already, sir, on more than one occasion, and recently, without contradiction, before the cabinet, stated, that I did not know, until after my induction into office, that you had determined that the deposites should be removed without any further action by Congress. If I had known that such was your decision, and that I should be required to act, I would not have accepted office. But as soon as I understood, when in office, what your intention was, I sought for all information calculated to enable me to act uprightly in the embarrassing position in which I was unexpectedly placed.

You were so good as to transmit to me, to that end, from Boston, not only the opinions of the members of the cabinet, but your own views in detail, upon the deposite question. But instead of intimating to me, that my disinclination to carry these views into effect, would be followed by a call for my retirement, you emphatically assured me, in your letter of the 26th of June, that "you did not intend to interfere with the independent exercise of the discretion committed to me by law over the subject."

Fully confiding in the encouragement thus held out, I entered into an exposition of my objections to the proposed measure. Discussion ended in an under-

this thing—if the constitution and laws, instead of authorizing it, required him to keep his hands off the treasury—it is useless to inquire into any reasons he may give for exercising a power which he did not possess. Sir, what power has the president of the

standing, that we should remain uncommitted, until after an inquiry which your agent was to make, should be completed, and until the discussion of the cabinet. But, pending the preparation of this inquiry, I received your letter of July 22, conveying what I understood to be an intimation, that I must retire, unless I would then say that I would remove the deposites, after the inquiry and discussion, in case you should then decide to have them removed.

I would have at once considered this letter as an order to retire, and would have obeyed it, if I had not thought it my duty to hold the post intrusted me, as long as I could do so with benefit to the country, and without discredit to myself. Instead, therefore, of retiring voluntarily or otherwise, I subjected my feelings to restraint, and stated, as you quote in your letter of this day, that, if I could not, after inquiry and discussion, as the responsible agent of the law, carry into effect the decision that might be made, I would afford you an opportunity to select a successor, &c. Under these circumstances, the inquiry was entered upon. It ended in showing, as I had predicted, that the plan submitted to me on the 26th of June, was impracticable—and in a report without any defined substitute, according to my comprehension of it.

After a consideration of the subject in the cabinet, you gave directions, as stated at the commencement of this letter, and I wrote to you, that I would make communication to you on Saturday, 21st instant, and I accordingly did so. as herein before stated. Unto the present time, therefore, I have been struggling, under painful circumstances, not to retain a post that I never sought, and the loss of which I shall not regret on my own account—but to maintain it for the country, under a serious sense of duty to it, and to avert a measure that I honestly feared might affect yourself.

Without entertaining or desiring to manifest toward you, sir, the slightest disrespect, but solemnly impressed with a consideration of my responsibility to the country, and my duty to myself, I now definitely declare, that I will not in any way aid or assist, to cause the public money to be deposited in any other institution, bank, or place, than that provided by the 16th section of the act chartering the United States bank, until Congress shall direct or authorize such change to be made, unless good cause shall arise, such as in my judgment does not now exist.

I am further constrained, owing to occurrences and circumstances, that in part have come to my knowledge, or have taken place, of late, to leave it to you, sir, to determine, whether I am or am not to remain any longer a member of your administration. I sincerely hope and beg, sir, that you will consider, that I owe it to myself, my family, and my friends, not to leave my course, at this most trying moment of my life, open to doubt or conjecture; that my conduct has already sharpened the dagger of malice, as may be seen in some of the public prints; that you, who have been assailed in so many tender parts, and in whose defence I have devoted many a painful day, ought to make allowance for me, in my present position; that, were I to resign, I could meet no calumniator without breach of duty; that I ask such order or direction from you, in relation to my office, as may protect me and my children from reproach, and save you and myself from all present or future pain; that I desire to separate in peace and kindness; that I will strive to forget all unpleasantness, or cause of it; and that I devoutly wish, that your measures may end in happiness to your country, and honor to yourself.

With the utmost consideration, your obedient servant,

W. J. DUANE.

No. 7.

(The President of the United States to the Secretary of the Treasury.)

September 23, 1833.

SIR: Since I returned your first letter of September 21st, and since the receipt of your second letter of the same day, which I sent back to you, at your own request, I have received your third and fourth letters of the same date. The last two as well as the first, contain statements that are inaccurate; and as I have already indicated in my last note to you, that a correspondence of this description is inadmissible, your last two letters are herewith returned.

United States over the treasury? Is it in the charter establishing the bank? The clause of the charter relating to the public deposits declares—

[For this clause, see page 71.]

"This is in strict consonance with the act creating the treasury department in 1789. The secretary of the treasury is by that act constituted the *agent* of Congress; he is required to report to Congress annually, the state of the finances, and his plans respecting them; and if Congress in either of its branches shall require it, he is to report at any time on any particular branch of the fiscal concerns of the country. He is the *agent* of Congress to watch over the safety of the national deposites; and if, from any peculiar circumstances, the removal of them shall be required, he is to report the fact—to whom? to the president? No, sir; he must report to Congress, together with his reasons therefor. By the charter of the bank, the president of the United States is clothed with two powers respecting it, and two only. By one of its clauses he is authorized to nominate, and by and with the consent of the senate, to appoint the government directors, and to remove them; by the other clause he is empowered to issue a *scire facias* when he shall

But from all your recent communications, as well as your recent conduct, your feelings and sentiments appear to be of such a character, that, after your letter of July last, in which you say, should your views not accord with mine, "I will, from respect to you, and for myself, afford you an opportunity to select a successor, whose views may accord with your own, on the important matter in contemplation," and your determination now to disregard the pledge you then gave, I feel myself constrained to notify you, that your further services as secretary of the treasury are no longer required.

I am, respectfully, your obedient servant,

ANDREW JACKSON.

[NILES'S REGISTER, volume xlv, pp. 236–239.]

In a private letter of Mr. Duane to a friend in New Orleans, dated Philadelphia, October 23, 1833, some extracts from which were afterward published in the New Orleans Bulletin, he says:—

"It is but too obvious, either that we misunderstood the qualities of General Jackson's head, or else he has been wonderfully altered. On all the cardinal questions agitated, he has failed to be consistent. He promised purity in selections for office; yet few have been purely made. He professed to be a friend to domestic industry; yet he has done more than anybody else to prostrate it. He advocated a national government bank; and yet affects to dread a moneyed aristocracy. He complained of the corruptions of one bank; and takes forty or fifty irresponsible paper-circulating banks under the national wing. He has been for and against internal improvement. He denounced nullification; yet has of late been unsaying all that he said in his proclamation. In short, I do not believe he ever had fixed principles, or ever arrived at any result by the exercise of the mind. Impulses and passions have ruled. * * * I had not been twenty-four hours in office, when I felt, as I wrote my father, my vessel on the breakers. I found that the president was in the hands of men, whom I would not trust, personally or politically. * * * I undertook to tell the president the truth, in the language of a freeman, rather than a courtier—the end of all which was my removal from office, under aggravating circumstances. * * * The state of things is this: The good of the country is no more thought of, than if everything ought to be left to chance. * * * At Washington, my unwillingness to pull, as a well trained mule would, was a matter of surprise. Moral courage at Washington, is as scarce as liberality at Warsaw."

apprehend that the charter of the institution has been violated. These, I say, are the only powers given him by the charter; all others are denied to him, and are given to others. The bank is not bound to report the state of its affairs to him, but to the secretary of the treasury; and it is thus to report whenever he shall call upon it for information; but when it becomes necessary to go further, a committee of Congress is authorized to examine the books of the bank, and to look into the whole state of its affairs, and to report, not to the president, *but to Congress*, who appointed them. The president, as I have said, is restricted to the two powers of appointing directors, and issuing a *scire facias*.

"And has the president any power over the treasury by the constitution? None, sir—none. The constitution requires that no money shall be drawn from the treasury except by appropriation, thus placing it entirely under the control of Congress." * * *

After having animadverted, as the fact demanded, upon the introduction into the president's message of the novel phraseology of "the constitution and *suffrages* of the American people," as if the source of power were a part of the rule of government, and as if the will of the people were to be interpreted according to the will of the president, and that interpretation superadded to the constitution as a guide; and after having duly chastised the perversion that had been made of the duty of the president "to see that the laws be faithfully executed," by making it a warrant to violate them, Mr. Clay said, in the conclusion of his remarks, upon this latter point:—

"Sir, when a doctrine like this shall be admitted as orthodox, when it shall be acquiesced in by the people of this country, our government will have become a *simple* machine enough. The will of the president will be the whole of it. There will be but one bed, and that will be the bed of Procrustes—but one will, the will of the president. All the departments, and all subordinate functionaries of government, great or small, must submit to that will; and if they do not, then the president will have failed to 'see that the laws are faithfully executed.'"

On this principle, the president claimed the right of setting aside the decisions of the supreme court of the United States, and refused to execute their mandate in the case of the Cherokees and their missionaries in Georgia.

It happened that the secretary of the treasury held his appointment at the will of the president, though an agent of Congress; and General Jackson undertook to apply his principle of control to this officer. He labored hard, for months, to bring the mem-

bers of his cabinet—all of whom knew well that they were under the operation of the same screw—into the measure, and succeeded, by this power, in converting a majority. But the secretary of the treasury, being contumacious, compelled the president to the application of force—and in that violence, he broke into the appropriate domain of the democratic branch of the government. Not satisfied with controlling his own officers, he proposed to control the agents of Congress, and thus took possession of the treasury of the nation.

But this stretch of power did not stop even within these limits. It proposed to take the morals, the press, and the elective franchise, under its charge. The famous paper of the 18th of September said: "Its responsibility [the measure of removal] has been assumed, after the most mature deliberation and reflection, *as necessary to preserve the morals of the people, the freedom of the press, and the purity of the elective franchise.*" On this point, Mr. Clay says:—

"The morals of the people! What part of the constitution has given to the president any power over 'the morals of the people?' None. It does not give such power even over religion, the presiding and genial influence over every true system of morals. No, sir, it gives him no such power.

"And what is the next step? To-day he claims a power as necessary to the morals of the people; to-morrow he will claim another, as still more indispensable to our *religion*. And the president might in this case as well have said, that he went into the office of the secretary of the treasury, and controlled the free exercise of his authority as secretary, because it was necessary to preserve 'the religion of the people!' I ask for the authority. Will any one of those gentlemen here, who consider themselves as the vindicators of the executive, point me to any clause of the constitution which gives to the *present* president of the United States any power to preserve 'the morals of the people?'

"But 'the freedom of the press,' it seems, was another motive. Sir, I am not surprised that the present secretary of the treasury should feel a desire to revive this power over the press. He, I think, was a member of that party which passed the sedition law, under precisely the same pretext. I recollect it was said, that this bank, this monster of tyranny, was taking into its pay a countless number of papers, and by this means was destroying the fair fame of the president and his secretary, and all that sort of thing. Sir, it is sometimes useful to refer back to those old things—to the notions and the motives which induced men in former times to do certain acts which may not be altogether unlike some others in our own time.

"The famous sedition act was passed, sir, in 1798; and it contained, among others, the following provision.*

"We have now, sir, in the reasons for the removal of the government deposites, the same motives avowed and acted upon. The abuse of the government, bringing it into disrepute, using contemptuous language to persons high in authority, constituted the motives for passing the sedition law; and what have we now but a repetition of the same complaints of abuses, disrespect, and so forth? As it is now, so it was then; for, says the next section of the same sedition act.†

"It is only for the sake of *the truth*, said they who favored the passage of that law—for the sake of justice; as it is now said, that it was necessary to remove the deposites, in order to preserve the purity of the press. That's all, sir. But there is one part of this assumption of power by the president much more tyrannical than that act. Under that law, the offending party was to have a trial by jury, the benefit of witnesses and of counsel, and the right to have the truth of his alleged libels examined. But what is the case now under consideration? Why, sir, the president takes the whole matter in his own hands: he is at once the judge, the jury, and the executioner of the sentence, and utterly deprives the accused party of the opportunity of showing that the imputed libel is no libel at all, but founded in the clearest truth.

"But 'the purity of the elective franchise,' also, the president has very much at heart. And here, again, I ask what part of the constitution gives him any power over that 'franchise?' Look, sir, at the nature of the exercise of this power! If it was really necessary that steps should be taken to preserve the purity of the

*"'Section 2. That if any person shall write, print, utter, or publish, or shall cause or procure to be written, printed, uttered, or published, or shall, knowingly and willingly, assist or aid in writing, printing, uttering, or publishing, any false, scandalous, and malicious writing or writings, against the government of the United States, or either house of the Congress of the United States, or the president of the United States, with intent to defame the said government, or either house of the said Congress, or the said president, or to bring them, or either of them, into contempt or disrepute; or to excite against them, or either of them, the hatred of the good people of the United States, or to stir up sedition within the United States; or to excite any unlawful combinations therein, for opposing or resisting any law of the United States, or any act of the president of the United States, done in pursuance of any such law, or of the powers in him vested by the constitution of the United States; or to resist, oppose, or defeat, any such law or act; or to aid, encourage, or abet, any hostile designs of any foreign nation, against the United States, their people, or government, then such person, being thereof convicted before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.'

†"'That if any person shall be prosecuted under this act, for the writing or publishing of any libel aforesaid, it shall be lawful for the defendant, upon the trial of the cause, to give in evidence in his defence, the truth of the matter contained in the publication charged as a libel. And the jury who shall try the cause, shall have a right to determine the law and the fact, under the direction of the court, as in other cases.'

press, or the freedom of elections, what ought the president to have done? Taken the matter into his own hands? No, sir. It was his duty to recommend to Congress the passage of laws for the purpose, under suitable sanctions—laws which the courts of the United States could execute. We could not have been worse off under such laws (however exceptionable they might be), than we are now. We could then, sir, have reviewed the laws, and seen whether Congress or the president had properly any power over this matter; or whether the article of the constitution which forbids that the press shall be touched, and declares that religion shall be sacred from all the powers of legislation, applied in the case or not. This the president has undertaken to do. . . .

"Where is the security against such conduct on the part of the president? Where the boundary to this tremendous authority, which he has undertaken to exercise? Sir, every barrier around the treasury is broken down. From the moment that the president said, 'I make this measure my own, I take upon myself the responsibility,' from that moment the public treasury might as well have been at the hermitage as at this place. Sir, the measure adopted by the president is without precedent—in our day at best. There is, indeed, a precedent on record, but you must go up to the Christian era for it. It will be recollected, by those who are conversant with ancient history, that, after Pompey was compelled to retire to Brundusium, Cæsar, who had been anxious to give him battle, returned to Rome, 'having reduced Italy (says the historian) in sixty days (the exact period, sir, between the removal of the depositesand the meeting of Congress, without the usual allowance of three days' grace), without bloodshed.' The historian goes on: 'Finding the city in a more settled condition than he expected, and many senators there, he addressed them in a mild and gracious manner (as the president addressed his late secretary of the treasury), and desired them to send deputies to Pompey with an offer of honorable terms of peace. As Metellus, the tribune, *opposed his* taking money out of the public treasury, and cited some laws against it (such, sir, I suppose, as I have endeavored to cite on this occasion), Cæsar said, 'Arms and laws do not flourish together. If you are not pleased with what I am about, you have only to withdraw. ('Leave the office, Mr. Duane!') War, indeed, will not tolerate much liberty of speech. When I say this, I am renouncing my own right; for you, and all those whom I have found exciting a spirit of faction against me, are at my disposal.' Having said this, he approached the doors of the treasury, and as the keys were not produced, he sent for workmen to break them open. Metellus again opposed him, and gained credit with some for his firmness; but Cæsar, with an elevated voice, threatened to put him to death, if he gave any further trouble. 'And you know very well, young man,' said he, 'that this is harder for me to say than to do.'"

The position occupied by Mr. Duane in this affair, is one that will command the respect of the age and of posterity—and the same feeling that applauds him, will regard with deep mortification and regret the consent of Mr. Taney to lay aside the robes of an attorney-general, to commit this outrage on the constitution and laws of his country! It was cruel, indeed, to call Mr. Duane to the head of the treasury, without advising him of the purpose in view. His position was embarrassing and painful in the extreme.

In regard to the question of casuistry raised by his refusal to resign, after he had given a pledge that he would not stand in the way of the president, it must be left to the defence which he himself has made. It can not be denied, that the treatment he received was a just subject of complaint; or that it materially affected his relations with the president; or that it forced him into a defensive position; though a third person could hardly assume to decide, that even all this injury, present and prospective, discharged him from the obligations of the understanding which he, by his own voluntary act, had originated and authorized. It is clear, however, that the president, who had set the example of breaking promise—having said, in a letter to Mr. Duane, that he would "*not* interfere with the independent exercise of the discretion *vested in him by law*"—was not the party to complain of a like breach of promise toward himself. But Mr. Duane's manly and noble conduct, in protesting against this measure, and resisting it to the last, sacrificing the honor and emoluments of place, for the maintenance and vindication of principle, exposing himself to the reproach and incurring the abuse of all his former political associates, was worthy of all praise, and will for ever receive the favorable verdict of mankind. It exhibits one of the strongest points in the history of the country, as an example of virtue, of patriotism, in conflict with arbitrary power. The devotion of Mr. Duane to General Jackson, is sufficiently proved by his call to the cabinet; the pain he suffered in his controversy with the president, might be inferred, even if it were not revealed in the correspondence between them; his adherence to principle and law, under all these trials, and the sacrifice he finally made, are most exemplary; and his disappointment, as to the character of the president, and as to the state of things at Washington, at that time, manifested in his letter of October 23, 1833, to a friend in New Orleans, was the natural result of such experience, and is communicated in the frankness of private friendship, and therefore the more reliable as an honest opinion.

CHAPTER IV.

REMOVAL OF THE DEPOSITES.

A Locum Tenens.—Difficulty of the Secretary's Task.—His Reasons for removing the Deposites.—What Mr. Clay thought.—The Secretary lectures Congress on Law, Politics, Affairs of State, Free Institutions, and other Matters.—The Relevancy of these Topics to Finance considered.—False Position of the Secretary.—Consequences.—Sometimes right, Sometimes wrong.—In a Strait betwixt Two.—Orders from one Quarter.—Responsibility in Another.—Sinks between two Boats.

THE remarkable part enacted by the *locum tenens* of the treasury department, in the removal of the deposites, deserves yet more consideration, than the condensed analysis of his report, and a few scattered allusions to him, in the preceding chapter. In justification of the denomination here applied to his position, it is sufficient to say, that a commission given by the president to any public officer, whose appointment requires the advice and consent of the senate, can not be more than that of a *locum tenens*, as the agent of the executive, till his appointment is confirmed by the action of the co-ordinate power. Courtesy usually applies to him the style of the office which he has contingently in prospect. But Roger B. Taney was never secretary of the treasury of the United States. That was impossible till the senate should confirm the nomination. But he was rejected. This distinction may often be, as it is in this case, practically important, to determine where the responsibility of all agencies and acts of the government lies. If the president commissions an agent to accomplish his own arbitrary designs, and has reason to know, that this agent, or this service, will not be agreeable to the co-ordinate power of appointment, he violates the spirit and intent of the constitution. If, as in the case of the head of the treasury, who is an agent, an employée of Congress, he puts forward a *locum tenens* that is offensive to that body, knowing him to be such, either in his want of the qualifications which that body would prefer, or in his want of fidelity to them, it is a manifest impropriety, and one bordering on what might be more harshly denominated. If, in addition to this, he takes advantage of the letter

of the law, and employs a *locum tenens* over the treasury, for the very purpose of violating the will of Congress, or of the co-ordinate power of appointment, thrusting him upon them against all their feelings and wishes, then it is an outrage. If, yet further, he does this for the purpose of usurping the rights of Congress, it then becomes a heinous offence. Such—the last of these suppositions—appears to have been precisely the position of Mr. Taney, as the *locum tenens* in charge of the United States treasury, in 1833, till the time of his rejection by the senate, in 1834. He was forced upon Congress and the senate against their will—or rather, having never received the sanction of Congress as an employée, he was put forward to do that against which the house of representatives protested in advance, and upon which the senate afterward passed a resolution of censure. In law Mr. Taney was an agent of Congress; in effect he was not; his appointment was in spirit a violation of the constitution; and his action was a gross violation of its letter. The refusal of the president to send in his name to the senate, till Congress had been nearly seven months in session, was an aggravation of the wrong done to the rights of that body, to the rights of Congress, and to the constitution, as it forced upon the country a public agent, for a protracted period, which the constitutional authorities could never sanction—and it was known that such would probably be the result. The motive of withholding the name, arose from the knowledge, that the public will, as expressed through its constitutional organs, was violated, and that this violence, so far as this incumbent was concerned, would be barred the moment he should be nominated. He was rejected the next day.

The power of the secretary of the treasury over the deposites, as vested in him by one section of the law which created the United States bank of 1816, has already been considered. It was obviously a discretion conferred for an exigency that might arise, affording presumptive evidence to the secretary, that the public funds were in an unsafe condition, and investing him with power, according to the best of his judgment, to rescue them from hazard, for which he was required to account to Congress "immediately, if in session; and if not, immediately after the commencement of the next session."

The secretary of the treasury (he is so denominated in courtesy) had a difficult task to perform, in rendering his account to Congress. The law is very strong in its terms, in case of the use of

the high discretion of disturbing the condition of the public deposites, as fixed by their constitutional keepers. He must give his reasons "immediately." It was a great responsibility. He was required to tell "the truth, the whole truth, and nothing but the truth." He was in court, and under the oath of office. There must be good and sufficient reasons for such a use of discretion—not reasons of state—but reasons of a man of business, of a banker, of a minister of finance. In his official capacity, he had nothing to do with reasons of state. These were the province of his masters, but arrogance in him as a servant to name them. It is not possible to conceive of a reason suitable for him to advance on this occasion, which did not regard the *safety* of the public funds. Congress had selected the place of deposite; it was a part of law; the public faith was pledged; and there were parties to the arrangement, who had their rights. Congress—one of its branches—had acted on the question, the state of which had undergone no change, and recorded a mandatory expression of their will; and the duty of the secretary, so far as this matter was concerned, was simply that of a commercial agent—to secure the safety of the public funds, till further orders.

The following spirited and sarcastic remarks of Mr. Clay, cutting more ways than one, will show the opinion he entertained of the first position of the secretary in his report:—

"The report of the secretary of the treasury, in the first paragraph, commences with a misstatement of the fact. He says, '*I have directed*' that the deposites of the money of the United States shall not be made in the bank of the United States. If this assertion is regarded in any other than a mere formal sense, it is not true. The secretary may have been the instrument, the clerk, the automaton, in whose name the order was issued; but the measure was that of the president, by whose authority or command the order was given; and of this we have the highest and most authentic evidence. The president has told the world that the measure was his own, and that he took it upon his own responsibility. And he has exonerated his cabinet from all responsibility about it. The secretary ought to have frankly disclosed all the circumstances of the case, and told the truth, the whole truth, and nothing but the truth. If he had done so, he would have informed Congress, that the removal had been decided by the president on the eighteenth of September last; that it had been announced to the public on the twentieth; and that Mr. Duane remained in office until the twenty-third. He would have informed Congress, that this important measure was decided before he entered into his new office,

and was the cause of his appointment. Yes, sir, the present secretary stood by, a witness to the struggle in the mind of his predecessor, between his attachment to the president and his duty to the country; saw him dismissed from office, because he would not violate his conscientious obligations, and came into his place, to do what he could not, honorably, and would not perform. A son of one of the fathers of democracy, by an administration professing to be democratic, was expelled from office, and his place supplied by a gentleman, who, throughout his whole career, has been uniformly opposed to democracy!—a gentleman who, at another epoch of the republic, when it was threatened with civil war, and a dissolution of the Union, voted (although a resident of a slave state), in the legislature of Maryland, against the admission of Missouri into the Union without a restriction incompatible with her rights as a member of the confederacy! Mr. Duane was dismissed because the solemn convictions of his duty would not allow him to conform to the president's will—because his logic did not bring his mind to the same conclusions with those of the logic of a venerable old gentleman, inhabiting a white house not distant from the capitol—because his watch [here Mr. Clay held up his own] did not keep time with that of the president. He was dismissed under that detestable system of proscription for opinion's sake, which has finally dared to intrude itself into the halls of Congress—a system under which three unoffending clerks, the husbands of wives, the fathers of families, dependent on them for support, without the slightest imputation of delinquency, have been recently unceremoniously discharged, and driven out to beggary, by a man, himself the substitute of a meritorious officer, who has not been in this city a period equal to one monthly revolution of the moon! I tell *our* secretary [said Mr. Clay, raising his voice], that, if he touch a single hair of the head of any one of the clerks of the senate (I am sure he is not disposed to do it), on account of his opinions, political or religious, if no other member of the senate does it, I will instantly submit a resolution for his own dismission.

"The secretary ought to have communicated all these things—he ought to have stated that the cabinet was divided two and two, and one of the members [Mr. Cass, secretary of war] equally divided with himself on the question, willing to be put into either scale. He ought to have given a full account of this, the most important act of executive authority since the origin of the government—he should have stated with what unsullied honor his predecessor retired from office, and on what degrading conditions he accepted his vacant place. When a momentous proceeding like this, varying the constitutional distribution of the powers of the legislative and executive departments, was resolved on, the ministers against whose advice it was determined, should have resigned their stations. No ministers of any monarch in Europe, under

similar circumstances, would have retained the seals of office. And if, as nobody doubts, there is a cabal behind the curtain, without character and without responsibility, feeding the passions, stimulating the prejudices, and moulding the actions of the incumbent of the presidential office, it was an additional reason for their resignations. There is not a *maître d'hotel* in Christendom, who, if the scullions were put into command in the parlor and dining-room, would not scorn to hold his place, and fling it up in disgust with indignant pride!"

When a man is forced to give any reasons but the true and proper ones, for his own conduct, and is deeply interested in making out his justification, it should not be deemed strange, if he accumulates incongruous, illogical, and even absurd statements. It is not proposed here to follow out minutely that concatenation of reasoning, in the secretary's report, the analysis of which is given in the preceding chapter; but only to notice a few of the points more worthy of consideration. Why the secretary should have gone into questions of law, politics, state, and into various other controversies, actual and hypothetical, when in truth he could with propriety have had no other budget to open but that of a commercial agent, in a plain, straight-forward, and matter-of-fact statement, relative to financial economy on the subject in hand, is perhaps sufficiently obvious from the necessities of his position. No man knew better than he, that he had consented to be the agent of violating the constitution and laws of the land. It was therefore necessary—since he was compelled to reason on the subject—that he should violate fact, logic, and even truth itself, to mystify the subject, and embarrass the minds of those who might be doomed to give him a hearing.

His first aim was to show, that he alone had power over the deposites, and that this power was unconditional and absolute. His stages of proof apparently are, first, the law touching the deposites, which constitutes the secretary of the treasury the agent of removal. Next, law precedents, in the decisions of courts on the relation between the sovereignty of a state and bank corporations, which is determined to be a contract. Thirdly, that the stockholders of the bank, by incorporating, under this law, had subscribed to this absolute power of the secretary. Without questioning the grant of power by the law to the secretary, or the validity of the principle alleged to have been decided by the courts as to the parties in the contract, or the fact of the stockholders of the bank being one of

the parties, and the sovereignty of the United States the other—"sovereignty" is the secretary's term, and there is no objection to allow him the term government, as sovereignty is somewhat of an abstraction—still, it is not easy to see how the secretary, as an agent of government, strictly of Congress, should be able to establish himself in the position of a third and independent party, having rights and powers in relation to the stockholders of the bank, which his employers had not. He does this manifestly by his own forced construction of the language of the law, which must fall at the first glance of his position and functions as an AGENT, and only an agent, acting under the authority and orders of his principals, one part of which doubtless is the law in question, the construction of which should be reasonable, and not violate recognised and long-established principles, whose existence and influence framed this law, and surrounded and guarded it as a new regulation, to forbid misconstruction or perversion. It is certain that it could not be construed to invest the secretary with powers not derived from his employers, who were the authors of this law—much less to make him superior to them. It is obvious, that he could have no power not derived from his principals.

The secretary, in his reasonings, occasionally advances a principle, about which there can be no controversy. For example, that "the right of the secretary to designate the place of deposite was always necessarily subject to the control of Congress;" and the only wonder is, that the man who knew so well how to state the rule, should be capable of disregarding it, and persist in it to the last, by a continuous act of usurpation. But the necessity of the unfortunate man's position, in relation to the president, was the difficulty under which he labored. *Video meliora, proboque; sed deteriora sequor.* A man is to be pitied, who has to struggle so hard against his reason and his conscience. The secretary darts from right to wrong, and from wrong to right, like a buzzing top spun from the hand of a boy, and stands on his foot about as long. No sooner had he uttered the very excellent truth above, taking up his station with all fidelity at the feet of Congress, than he begins to think of his relation to the president, and flies back to his master, renouncing the authority just acknowledged: "As the secretary of the treasury presides over one of the *executive* departments of the government, and his power over this subject forms a part of the executive duties of his office, the manner in which it is exercised must be *subject* to the supervision of the officer [he hardly

dare say president] to whom the constitution has confided the whole executive power, and has required to take care that the laws be faithfully executed." Certainly, it can not be denied, that he is fast by the president now, however devious may have been the path by which he arrived.

It is melancholy to observe, what strategy is necessary to make out a case known to be wrong—how a man of logic and law will take refuge under equivoques and flimsy appearances, to support an absurdity! Did not Mr. Taney know, that, as secretary of the treasury, he was an agent of Congress, and not of the executive branch of the government? Why, then, does he take advantage of the facts, that he is selected by the president, as the law directs, to fill that place; that he presides over what is commonly called an executive department; that he is under the supervision of the president; that his bureau happens to have the accident of propinquity to the executive mansion;—why, on these accounts, does he presume to suggest the idea—in covert language indeed—that he is, therefore, bound to obey the orders of the president, in violation of all law? Did not Mr. Taney know, that the supervision of the president, in regard to his office and functions, could lawfully extend no further, than to see, that he discharged his duties faithfully, *according to law*, as an agent of Congress, and a servant of the public? It is impossible, that he, or any other man, should reconcile the position he here takes up, with the rule he had just laid down, that "the right of the secretary to designate the place of deposite, was always subject to the control of Congress;" for he has now given it all over into the hands of the president.

Precisely the same paradox appears in the following sentence, the reasoning of which seems well nigh to have set the secretary right: "The power over the place of deposite for the public money, would seem properly to belong to the legislative department of the government, and it is difficult to imagine why the authority to withdraw it from this bank was confided exclusively to the *executive*." It was not so confided, Mr. Secretary, except by your own forced construction of the law, and by your application of misnomers to confound the truth. Admitting that the power was in the secretary, as the proxy and agent of Congress, what right or authority had he to identify himself with the president, by a sly use of the word "executive?" He jumps to conclusions over chasms that should break an honest man's neck.

It is curious to observe how the secretary establishes the absurd-

ity, that he had more power than his masters, and that he could do what they had no right to do. It was doubtless true, that Congress had no right, directly or indirectly, by proxy or otherwise, to withhold or withdraw the public deposites from the bank of the United States, during the term of the compact, so long as the bank was known to be a safe depository, and so long as it faithfully discharged all its duties as a party; and that was one of the grounds of charge against the secretary and the president, first, that they had usurped a function of Congress, and next, that they had thereby, and in addition, caused the faith of a compact to be broken. But the most amusing part of the secretary's reasoning, is, that, having the power, he was bound to *exercise* it: "It is the *duty* of the executive departments of the government to *exercise* the powers conferred on them." By which rule the hangman's office ought not to be disappointed, and he is entitled—bound—to make a victim of the first man he can catch, if the courts fail to do their duty, in handing one over to satisfy his claims. This propensity to the use of power, and this conscientious application of all powers conferred, occasion or no occasion, according to the executive rule of that day, "as he understands" and is pleased to interpret the law, seems, in this instance, to have been discharged to the utmost extent.

The way in which this financier, this man of business, appointed to a specific duty, regulated by law, assumes to decide questions of state, going back behind his masters, originating and executing measures which they had neglected to provide, will appear from the following extract:—

"It must be the duty of the secretary of the treasury to withdraw the deposites from that institution [the bank of the United States], whenever the change would in *any degree* promote the public interest [according to the secretary's opinion]. It is not necessary that the deposites should be unsafe, in order to justify the removal. The authority to remove, is not limited to such a contingency. The bank may be perfectly solvent, and prepared to meet promptly all demands upon it. It may have been faithful in the performance of its duties, and yet the public interest [as determined by the secretary] may require the deposites to be withdrawn. And as that can not be done without the action of this department [so the secretary had decided, and assumed that he *could* do it], the secretary of the treasury would betray the trust confided to him [that must be a high discretion, that comprehends a duty which the authority *requiring* it, is not competent to discharge], if he did not cause the deposites to be made elsewhere

whenever [in his opinion] the change would advance the public interest, or public convenience [even though it be but a *slight convenience*, the secretary, with his ample powers, can do it, and with all his scrupulousness, is bound to do it]. The safety of the deposites, the ability of the bank to meet its engagements, its fidelity in the performance of its obligations, are only a part of the considerations by which his judgment must be guided. The general interest and convenience of the people, must regulate his conduct."

It was very fortunate for a Congress, that could not understand "the *general* interest and convenience of the people," and that did not know how to legislate for these ends, to have such a secretary! It was still more fortunate, that, having expressed an erroneous opinion, and recorded a virtual order, on this subject, the president had provided them with a secretary of paramount powers, as well as paramount sagacity and discretion—a secretary of "unconditional and absolute power!"

Not only was this secretary such a profound adept in political science, but he achieved the solution of a problem in mathematics, never before discovered, that a part is equal to the whole, and the whole not greater than a part, under the latter as the form of his proposition. Mr. Crawford, as the head of the treasury, in 1817, had made some use of the state banks—for his own convenience probably—as places of deposite. Mr. Taney arrives at the conclusion: "Nor can any distinction be taken between the transfer of a *part*, and the transfer of the *whole* sum, remaining on deposite. The language of the charter recognises no such distinction." The language of the law was, that the deposites should be made in the bank of the United States. The discovery of Mr. Taney is, that it is the same thing not to use the United States bank at all, as to use other banks to a small extent, when the fiscal operations of the government required it, or for any other reason; and that, if Mr. Crawford violated the law in *part*, the path was open for Mr. Taney to violate the *whole* with impunity.

The length of the secretary's lecture to Congress, and the accumulation of his reasons—apparently with a view to supply by their number what they might chance to lack in separate force—is perhaps some apology for seeming to contradict in one stage of his argument, what he advances in another. For example, he states, that "the executive department can not be allowed to *speculate* on the chances of future change by the legislative authority," from which no man could reasonably dissent. But immediately after-

ward, when, in violation of this rule, he comes to "speculate" on the results of the elections, and the questions decided by them, according to his "speculations," he seems to think it incumbent upon him to "speculate" on future legislation, and to regulate his conduct accordingly. "The manifestations of public opinion, instead of being favorable to a renewal [of the bank charter], have been decidedly to the contrary. Under these circumstances, I could not have been justified in anticipating any change in the existing laws;" and therefore he was justified in breaking covenant with the bank, which was entitled by law and compact to the use of the public deposites till the 3d of March, 1836, about two years and a half after they were removed. These, it must be confessed, were somewhat bold speculations, invading the domain of moral casuistry, not much to its security or honor. "It is obvious," says the secretary, as if a question of morals were not concerned in it, "that the interests of the country would not be promoted by permitting the deposites of the public money to continue in the bank, until its charter expired." There might be a difference of opinion on the question here so gratuitously and authoritatively decided—though there ought not to be a question as to the obligation of contracts. Morals, in this place, did not seem to come within the purview of the secretary, though, in a subsequent stage of his argument, he would seem to be very anxious lest morals should be injured by another party, and the people corrupted. With such a certificate of his qualifications, who could object, that he should preach a sermon on this topic, or remove the deposites as a conservator of morals?

If it was not positively gratifying to the pride and self-respect of Congress, and even if they were in some degree ungrateful, it could not but be regarded as a labor-saving operation, that the secretary should have been able to decide for them the constitutional question, in regard to a bank of the United States, which he did very summarily, on his own authority, ranking it, of course, among the grounds of his own action. If this high duty did not exactly comport with a business document, on matters of finance, it was nevertheless of some importance.

The secretary, laying on the shelf the moral question involved in the faith of contracts, apparently as one unworthy of consideration, proceeds to discuss the financial economy of the bank, in which also he thinks he finds ample justification of the measure which, in the use of his "unconditional and absolute power," he

had adopted. His first drift carries him directly on the credit of the bank, to show, first, that it was borrowed from its relations to the government of the United States; and next, as a consequence, in the operation of the measure executed by him, that it ought to have very little or no credit at all. This, certainly, if it had fully succeeded, would have had a momentous influence on the commercial affairs of the country, all of which were more or less connected with the credit of this bank; and with all abatements, arising from the use of the sounder judgment of the wide community, did have a tremendous influence as a shock to general credit. This was taking care of "the interests and convenience of the people," with a vengeance! The secretary not only severs, by violence, the stipulated connexion between the government and the bank, when the convenience and prosperity of the whole people depended on its credit, but he declares that its credit was borrowed from this relation, now no longer existing! That this was in some sense, and in some degree, true, could not be controverted. And hence the stupendous consequences, of a disastrous nature, which came down so suddenly on the people of the country. In fact the bank was sound, and no man of competent information ever doubted it. But to excite doubts, in the minds of the people, by having its credit assailed from such a quarter, could not fail to produce the results that followed. It moreover forced an exigency on the bank, which compelled it to a course that must force a crisis on the commercial affairs of the country. From a patron, friend, and ally of the bank, with mutual interests, the government had become an open and declared enemy, breaking faith, and mustering its resolution and energies for an exterminating war—a course of treatment which forced the bank into a posture of defence, in the use of such means as were in its power, and between the two, the government on the one hand, and the bank on the other, the people must be victims of the conflict. The two parties acting in harmony, according to the intention of the original compact, could not but subserve the interest and convenience of the public; but the moment that one of these parties broke covenant, and declared war, each of them having connexions with the whole country, the controversy must necessarily affect the people disastrously. After this, all the operations of the bank had an eye on the government, and all the operations of the government an eye on the bank. Neither could any longer consult the general good. On the part of the bank, the principle was that of defence; on the part of the government, it

was a war of extermination. No matter which course the bank adopted, whether by an extension or contraction of its credits, the people must soon feel it. If by the former, it would only aggravate the evil; if by the latter, the calamity must come instantly, and sooner or later, with distressing effect on the whole people. It could not prudently do the former; but, like a vigilant mariner, who, watching the rising storm, takes in sail, and gets all things ready, so the bank began to prepare for that contraction of business to which it was compelled, by the violation of contract on the part of the government, in withholding and withdrawing the public deposites, on the use of which for two and a half years to come the bank had depended, and made its arrangements accordingly—for which it had paid a valuable consideration, in an original bonus of a million and a half, and in performing all the fiscal operations of the government without charge for upward of seventeen years; next, by the injury of its credit in all the assaults of the government upon it, so long sustained, and now falling heavily by official and public accusations, associated in their influence with the positive fact of removing the deposites; and lastly, by the consequent necessity imposed of contracting its business and collecting its debts, till its liabilities should be brought within safe bounds. All the indications of the temper and meditated action of the executive, after the adjournment of Congress in the spring of 1833, had foreshadowed coming events, and the bank had begun to take measures for protection, weeks and months in advance of the publication of the president's manifesto of the 19th of September. These necessary precautions of the bank of the United States, affected all the banks of the country in the same way, and it was admitted by the secretary of the treasury, in his report to Congress, that, before the 1st of October, and within four months previous, nineteen millions of money had been withdrawn from circulation! This fact the secretary presents as a ground for his own precipitate action, alleging that this necessity of the bank was a device, to distress the country, and enforce its claims. But every one will see it *was* a necessity, and that this charge does not come with a very good grace from those who had created it.

Nineteen millions of dollars withdrawn from the circulating medium of the country, and the facilities and means of business diminished in that amount, by the mere apprehension of the executive measure, which was consummated on the 1st of October, by the agency of Roger B. Taney! Of course, this was but the begin-

ning of trouble. Small as it was, it was felt everywhere, and began to create universal distress. Credit was shocked, and confidence, in all the commercial relations of society, was rapidly giving way. Every debtor trembled, and every creditor looked to his security.

But the secretary had his charges direct in store against the bank. Since nothing new of any import had transpired since the adjournment of the twenty-second Congress, it might, perhaps, be considered a sufficient answer to the secretary's charges, to point to the fact, that, notwithstanding all the clamor which the executive had raised against the bank, and in view of the reports from committees of investigation into its condition and affairs, from both branches of the government, the house of representatives of that (the previous) Congress, had solemnly pronounced their confidence in the bank, by a resolution to that effect. But the bank had for years been forced to contend against the hostility of the president of the United States—ever since 1829—and like every party assailed, it had, in justice to itself, taken some measures of vindication. These were its faults. Because it would not lie down and die, at the breath of the president, it ought to be killed. The relation between the parties was unnatural. It was created in amity; it had been forced into hostility. There was a covenant which bound the bank to perform certain functions for the government, and the government to guard its rights, so long as it discharged its duties. The bank was the creation, the offspring of government, and could only live and be useful by the favor of its parent. When the latter turned round to smite and destroy it, the original relation was changed. Everything which the bank did in self-defence, was charged as a crime; and the secretary brought forward facts of this kind, and arrayed them under the denomination of offences. Not unlikely the administration of the bank had its defects—its positive vices. The exchange committee, however, which was alleged as its great crime, was manifestly one of the modes adopted to defend itself against executive espionage and persecution. It should not be surprising, if such hostility had driven it into some improper and unjustifiable modes of defence. It must, indeed, have been very bad, if it was more improper, or more unjustifiable, than the unnatural war that was waged against it.

It was charged by the secretary, that the president of the bank had been authorized to cause "to be prepared such documents and papers as may communicate to the people information in regard to the nature and operations of the bank." If no party, individual

or corporate, shall ever do anything that savors more of treason than this, the republic may yet be safe. But the secretary says: "There is sufficient evidence to show, that the bank has been, and still is, seeking to obtain political power, and has used its money for the purpose of influencing the election of the public servants;" and he concludes by invoking Congress, on these and other accounts, "to sustain a measure, which the best interests of the country called for, and which had become absolutely necessary to preserve untainted its free institutions, and to secure the liberties and happiness of the people."

It can not be denied, that this functionary has gone over a broad field to make out a report on finance! His appropriate duty was one that regarded dollars and cents. He was required to give a history of the operations of the public treasury for the last year, and to present such facts and considerations as might aid Congress in legislating for that department in time to come. He was also required to give the reasons of a financier, and of a commercial agent, for removing the deposites. It was, however, all and exclusively a matter of business. But he begins by announcing a questionable fact, to wit, that HE had removed the deposites, when it was in evidence, that he was merely passive in that transaction, except so far as his clerical agency might be concerned. In the outset he occupied a false position—and considering the task before him, it was not easy for him to get into a true one. And it was false in more senses than one: false, because the character in which he presented himself, as the responsible agent, was false; false, because, while acting under the orders of one branch of the government, he was forced to take up the position of being responsible to another; false, because he was not, in fact, known to the body before which he appeared; false, because, being thus unknown, he could not with propriety speak to them; false, because he was no otherwise responsible for the measure he attempted to vindicate as his own, than as having consented to be the instrument of carrying it out; false, because there was a constitutional barrier in his path, and laws built thereon, which he could not remove without violence, nor surmount without endangering himself; and false, because, in all that he did, he was forced to attempt impossibilities.

After citing the law under which he professed to have acted, he refers to judicial decisions, to determine the abstraction of the relation between the abstraction of the sovereignty of a state and the

abstraction of a corporate body under the state. From these premises, he proceeds to establish himself in the position, that was necessary to his end, viz., that he, and nobody else, was invested with power to do this thing. It is true, that he afterward, in some sort, allies himself to the president, and seems to share authority with him. But that point he approaches with cautious reserve and manifest diffidence. He comes no nearer to him, than to "the OFFICER to whom the constitution has confided the whole executive power"—a convenient abstraction for the occasion. He is often right, and often wrong—speaks a truth, and then flies from it, as if too much familiarity would be perilous. Having once embarked in this cause, it was not the fault of his intellect, nor a defect of knowledge, nor want of research, that he was not able to construct a consistent and sound argument. The best thing he could do was to say much, and be understood as little as possible —to range over a wide field, where few could follow him—to discuss law, politics, state affairs, elections, liberty, free institutions—anything that did not belong to the subject. For, wherever he travelled, and whatever he said, he was in a FALSE POSITION.

But the most remarkable feature of this whole affair, is, that this secretary of the treasury was NO secretary—that Congress should be obliged to hear such a lecture from a mere *locum tenens*, who had been thrust into a place to commit an outrage on the constitution and laws, and that he should be permitted to come before the body that was wronged, to defend the act by which their rights were trampled in the dust! He was never expected to be secretary, as is proved from the facts, that his name was withheld so long from the senate, and that the moment it was sent in, it was sent out.

The following are a few extracts from Mr. Clay :—

"Sir, I am surprised and alarmed at the new source of executive power, which is found in the result of a presidential election. I had supposed that the constitution and the laws were the sole source of executive authority ; that the constitution could only be amended in the mode which it has itself prescribed ; that the issue of a presidential election, was merely to place the chief magistrate in the post assigned to him ; and that he had neither more nor less power, in consequence of the election, than the constitution defines and delegates. But it seems that if, prior to an election, certain opinions, no matter how ambiguously put forth by a candidate, are known to the people, these loose opinions, in virtue of the election, incorporate themselves with the constitution,

and afterward are to be regarded and expounded as parts of the instrument!

* * * * * * *

"I have rarely seen any state paper characterized by so little gravity, dignity, and circumspection, as the report displays. The secretary is perfectly reckless in his assertions of matters of fact, and culpably loose in his reasoning. * * * *

"He [the secretary] represents the bank as endeavoring to operate on the public, by alternate bribery and oppression, with the same object in both cases, of influencing the election, or the administration of the president. Why this perpetual reference of all the operations of the institution to the executive? Why does the executive think of nothing but itself? It is I! It is I! It is I, that is meant! appears to be the constant exclamation. * * *

"We have, Mr. President, a most wonderful financier at the head of our treasury department. He sits quietly by in the cabinet, and witnesses the contest between his colleague and the president; sees the conflict in the mind of that colleague between his personal attachment to the president on the one hand, and his solemn duty to the public on the other; beholds the triumph of conscientious obligation; contemplates the noble spectacle of an honest man, preferring to surrender an exalted office with all its honors and emoluments, rather than betray the interests of the people; witnesses the contemptuous and insulting expulsion of that colleague from office; and then coolly enters the vacated place, without the slightest sympathy or the smallest emotion! He was installed on the twenty-third of September, and by the twenty-sixth, the brief period of three days, he discovers that the government of the United States had been wrong from its origin; that every one of his predecessors from Hamilton down, including Gallatin (who, whatever I said of him on a former occasion, and that I do not mean to retract, possessed more practical knowledge of currency, banks, and finance, than any man I have ever met in the public councils), Dallas, and Crawford, had been mistaken about both the expediency and constitutionality of the bank; that every chief magistrate, prior to him whose patronage he enjoyed, had been wrong; that the supreme court of the United States, and the people of the United States, during the thirty-seven years that they had acquiesced in or recognised the great utility of a bank, were all wrong. And, opposing his single opinion to their united judgments, he dismisses the bank, scatters the public money, and undertakes to regulate and purify the public morals, the public press, and popular elections!

"If we examine the operations of this modern Turgot, in their financial bearing, merely, we shall find still less for approbation.

"First: He withdraws the public moneys, where, by his own deliberate admission, they were perfectly safe, with a bank of thirty

five millions of capital, and ten millions of specie, and places them at great hazard with banks of comparatively small capital, and but little specie, of which the Metropolis bank is an example.

"Second: He withdraws them from a bank created by, and over which, the federal government had ample control, and puts them in other banks, created by different governments, and over which it has no control.

"Third: He withdraws them from a bank in which the American people, as a stockholder, were drawing their fair proportion of interest accruing on loans, of which those deposites formed the basis, and puts them where the people of the United States draw no interest.

"Fourth: From a bank which has paid a bonus of a million and a half, which the people of the United States may now be liable to refund, and puts them in banks which have paid to the American people no bonus.

"Fifth: Depreciates the value of stock in a bank where the general government holds seven millions, and advances that of banks in whose stock it does not hold a dollar, and whose aggregate capital does not probably much exceed that very seven millions. And finally,

"Sixth: He dismisses a bank whose paper circulates in the greatest credit throughout the Union, and in foreign countries, and engages in the public service banks whose paper has but a limited and local circulation in their 'immediate vicinities.'

"These are immediate and inevitable results. How much that large and long-standing item of *unavailable funds*, annually reported to Congress, will be swelled and extended, remains to be developed by time.

"And now, Mr. President, what, under all these circumstances, is it our duty to do? Is there a senator, who can hesitate to affirm, in the language of the resolution, that the president has assumed a dangerous power over the treasury of the United States, not granted to him by the constitution and the laws; and that the reasons assigned for the act, by the secretary of the treasury, are insufficient and unsatisfactory?

"The eyes and the hopes of the American people are anxiously turned to Congress. They feel that they have been deceived and insulted; their confidence abused; their interests betrayed; and their liberties in danger. They see a rapid and alarming concentration of all power in one man's hands. They see that, by the exercise of the positive authority of the executive, and his negative power exerted over Congress, the will of one man alone prevails, and governs the republic. The question is no longer what laws will Congress pass, but what will the executive not veto? The president, and not Congress, is addressed for legislative action. We have seen a corporation, charged with the execution of a great

national work, dismiss an experienced, faithful, and zealous president, afterward testify to his ability by a voluntary resolution, and reward his extraordinary services by a large gratuity, and appoint in his place an executive favorite, totally inexperienced and incompetent, to propitiate the president. We behold the usual incidents of approaching tyranny. The land is filled with spies and informers, and detraction and denunciation are the orders of the day. People, especially official incumbents in this place, no longer dare speak in the fearless tones of manly freedom, but in the cautious whispers of trembling slaves. The premonitory symptoms of despotism are upon us; and if Congress do not apply an instantaneous and effective remedy, the fatal collapse will soon come on, and we shall die—ignobly die! base, mean, and abject slaves—the scorn and contempt of mankind—unpitied, unwept, unmourned!"

The resolutions offered by Mr. Clay on the 26th of December, 1833, were debated, from time to time, in the senate, till the 28th of March, 1834, when the substance of them was passed, by a vote of 26 to 20, in the following form:—

"*Resolved*, That the president, in the late executive proceedings, in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both."

It will be interesting, as well as instructive, in this connexion, to observe the EFFECTS of the removal of the deposites upon the interests of the country, which are incidentally, and in that way, most impressively, brought to view, in the action of Congress on sundry petitions and memorials, which were preferred to that body in the early part of 1834, before the adjournment of that session when Mr. Clay's resolutions were debated in the senate. The following remarks of Mr. Clay, on the 7th of March, 1834, made upon a memorial from Philadelphia, are in point, and involve more history than could be given in equally few words. The appeal to the vice-president (Mr. Van Buren, ex-officio president of the senate), will be regarded with much interest:—

"I have been requested [said Mr. Clay] by the committee from Philadelphia, charged with presenting the memorial to Congress, to say a few words on the subject; and although, after the ample and very satisfactory exposition which it has received from the senator from Massachusetts, further observations are entirely unnecessary, I can not deny myself the gratification of complying with a request, proceeding from a source so highly worthy of respectful consideration.

"And what is the remedy to be provided for this most unhappy state of the country? I have conversed freely with the members of the Philadelphia committee. They are real, practical, working men—intelligent, well-acquainted with the general condition, and with the sufferings of their particular community. No one, who has not a heart of steel, can listen to them, without feeling the deepest sympathy for the privations and sufferings unnecessarily brought upon the laboring classes. Both the committee and the memorial declare that their reliance is, exclusively, on the *legislative* branch of the government. Mr. President, it is with subdued feelings of the profoundest humility and mortification that I am compelled to say, that, constituted as Congress now is, no relief will be afforded by it, unless its members shall be enlightened and instructed by the people themselves. A large portion of the body, whatever may be their private judgment upon the course of the president, believe it to be their duty, at all events safest for themselves, *to sustain him*, without regard to the consequences of his measures upon the public interests. And nothing but clear, decided, and unequivocal demonstrations of the popular disapprobation of what has been done, will divert them from their present purpose.

"But there is another quarter which possesses sufficient power and influence to relieve the public distresses. In twenty-four hours the executive branch could adopt a measure which would afford an efficacious and substantial remedy, and re-establish confidence. And those who, in this chamber, support the administration, could not render a better service than to repair to the executive mansion, and, placing before the chief magistrate the naked and undisguised truth, prevail upon him to retrace his steps and abandon his fatal experiment. No one, sir, can perform that duty with more propriety than yourself. You can, if you will, induce him to change his course. To you, then, sir, in no unfriendly spirit, but with feelings softened and subdued by the deep distress which pervades every class of our countrymen, I make the appeal. By your official and personal relations with the president, you maintain with him an intercourse which I neither enjoy nor covet. Go to him and tell him, without exaggeration, but in the language of truth and sincerity, the actual condition of his bleeding country. Tell him it is nearly ruined and undone, by the measures which he has been induced to put in operation. Tell him that *his* experiment is operating on the nation like the philosopher's experiment upon a convulsed animal, in an exhausted receiver, and that it must expire in agony, if he does not pause, give it free and sound circulation, and suffer the energies of the people to be revived and restored. Tell him that, in a single city, more than sixty bankruptcies, involving a loss of upward of fifteen millions of dollars, have occurred. Tell him of the alarming decline in the value of all prop-

erty, of the depreciation of all the products of industry, of the stagnation in every branch of business, and of the close of numerous manufacturing establishments, which, a few short months ago, were in active and flourishing operation. Depict to him, if you can find language to portray, the heart-rending wretchedness of thousands of the working-classes cast out of employment. Tell him of the tears of helpless widows, no longer able to earn their bread; and of unclad and unfed orphans, who have been driven, by his policy, out of the busy pursuits in which but yesterday they were gaining an honest livelihood."

On the 14th of the same month (March), Mr. Clay rose to address the senate on other petitions and memorials and said:—

"Mr. President, it is a question of the highest importance, what is to be the issue, what the remedy, of the existing evils. We should deal with the people openly, frankly, sincerely. The senate stands ready to do whatever is incumbent upon it; but unless the majority in the house will relent, unless it will take heed of and profit by recent events, there is no hope for the nation from the joint action of the two houses of Congress at this session. Still, I would say to my countrymen, do not despair. You are a young, brave, intelligent, and, as yet, a free people. A complete remedy for all that you suffer, and all that you dread, is in your own hands. And the events, to which I have just alluded, demonstrate that those of us have not been deceived, who have always relied upon the virtue, the capacity, and the intelligence of the people. * *

"The senate stands in the breach, ready to defend the constitution, and to relieve the distresses of the people. But, without the concurrence of another branch of Congress, which ought to be the first to yield it, the senate alone can send forth no act of legislation. Unaided, it can do no positive good; but it has vast preventive power. It may avert and arrest evil, if it can not rebuke usurpation. Senators, let us remain steadily by the constitution and the country, in this most portentous crisis. Let us oppose, to all encroachments, and to all corruption, a manly, resolute, and uncompromising resistance. * * * * * *

"Senators! we hold a highly responsible and arduous position; but the people are with us, and the path of duty lies clearly marked before us. Let us be firm, persevering, and unmoved. Let us perform our duty in a manner worthy of our ancestors, worthy of American senators, worthy of the dignity of the sovereign states that we represent—above all, worthy of the name of American freemen! Let us 'pledge our lives, our fortunes, and our sacred honor,' to rescue our beloved country from all impending dangers. And, amid the general gloom and darkness which prevail, let us continue to present one unextinguished light, steadily burning, in the cause of the people, of the constitution, and of civil liberty."

In one of the debates, about the 20th of May, Mr. Clay took occasion again to call the attention of the senate to the extraordinary fact, that, although the senate had been nearly six months in session, no nomination had been made for a secretary of the treasury; and Mr. Webster, at the same time, to show the feeling of General Washington on this subject, and his conscientious respect for the co-ordinate power of the senate in the matter of appointments, read the following document:—

"*Message from the President of the United States to the Senate of the United States.*

"UNITED STATES, *February* 9, 1790.

"*Gentlemen of the Senate:*

"Among the persons appointed, during the last session, to offices under the national government, there were some who declined serving. Their names and offices are specified in the first column of the foregoing list. I supplied these vacancies, agreeably to the constitution, by temporary appointments, which you will find mentioned in the second column of the list. These appointments will expire with your present session, and indeed OUGHT NOT TO ENDURE LONGER THAN UNTIL OTHERS CAN BE REGULARLY MADE. For that purpose, I now nominate to you the persons named in the third column of the list, as being in my opinion qualified to fill the offices opposite to their names in the first.

"G. WASHINGTON."

On Monday, June 23, Mr. Taney's nomination was at last sent in, and on Tuesday, the 24th—the next day—he was rejected by a vote of 28 to 18. So, it appears, these important, momentous transactions were all done by an *unauthorized* agent, or by taking advantage of a mere formal license of the law. It could not be said, that the forms of law had been violated, though the intention of it evidently was.

In reward for this fidelity, Mr. Taney was subsequently made Chief Justice of the United States!!

CHAPTER V.

THE EXPUNGING RESOLUTION.

The Secret of General Jackson's Power.—Its Culminating Point.—Armed Interpretation of Law.—Silencing Remonstrance.—A Case of Political Casuistry.—General Jackson's Protest against the Resolution of the Senate.—Mr. Calhoun's Views of It.—Revival of the Names of Whig and Tory.—Why both were not kept up.—The Yeas and Nays on the Expunging Resolution.—Remarks of Mr. Clay.—Protest of the Massachusetts Senators.—The Resolution.—Act of Expunging.—A Scene in the Senate.

THE secret of General Jackson's influence, which raised him to power so triumphantly, and sustained him throughout his administration of eight years, with unexampled popularity, at the same time that he was destroying the greatest and best interests of the country, on the largest scale, it is believed, is not generally understood. It has, for the most part, been ascribed to the eclat of military fame. That there was capital in this, can not be denied. It has also been partly attributed to the force of his character. There is reason also in this. But, neither his military fame, nor the force of his character, could account for his political career. Though the country was grateful for his distinguished services in fighting her battles, it will be observed, that nearly ten years had rolled round after the great victory over the British army, on the 8th of January, 1815, before he obtained any decided position as a candidate for political eminence. As the effect of military fame, he should have gained ground much faster than this, though that, undoubtedly, aided him very essentially. It was felt not inconsiderably in the presidential campaign of 1824; but, nevertheless, there was manifested on that occasion, but a small part of the popular enthusiasm which burst forth in his favor in the campaign of 1828, and which had not died away in that of 1832. To understand how he obtained such a strong hold on the people, as to be able for many years, as president, to do as he pleased, and make the people believe he was seeking their good, when he was doing them the greatest possible injury—as to make them satisfied with measures and acts, which, but for their idolatrous regard, would have shocked

them, and driven them for ever from their support of him—as still to maintain his popularity, when he was revolutionizing the government and its institutions, disturbing and deranging the commercial habits of the nation, and bringing upon the people calamity and distress like a whirlwind—to solve this problem, requires to look somewhere else, than to the causes to which they have usually been ascribed, not, however, to abate from them a reasonable share of influence. But, manifestly, they are not sufficient to account for all this.

Was it in the man, or in the people? Did it rise from virtue, or from vice? So far as the masses of the people were concerned, it had its origin in virtue, and virtue of the most generous kind. They believed that General Jackson was deprived of his rights in the election of Mr. Adams in 1825. In such a case, the people of all nations, more especially of the United States, are disposed to do justice. The power of such a sentiment over masses, when once it begins to operate, is vast, amazing, irresistible; and it increases by use and exercise, beyond any powers of calculation. The people believed, that General Jackson was *wronged;* they continued to believe it; they have never ceased to believe it. They resolved that that wrong should be redressed; and having so resolved, all that they aimed at, must be accomplished, and was accomplished. It is impossible to set bounds to such a sentiment, pervading the masses of mankind. In its volume, it is like a mighty river; in its depth, like the sea; in its power, like the mountain waves of the ocean.

It is believed, that this is the chief cause of the enthusiasm which has been manifested by the people of the United States, in favor of Andrew Jackson—and the cause which sustained him so long, and so effectively. If so, it will be seen, that, so far as the people were concerned, it had its foundation in the most commendable feelings—feelings which do honor to human nature, and when excited by a worthy cause, and bestowed on a worthy object, their results can not but be beneficent.

It can not but be seen, by this time, that General Jackson, by mistake or otherwise, was the unfortunate instrument of making terrible havoc on the great interests of the country. How he should have been sustained in such a career, even in the midst of such convincing evidences, that he was introducing and establishing a most ruinous and destructive policy, is seen in the cause already pointed out, which so absorbs and sways the masses of mankind,

when once it has taken hold of them. It is a sentiment of faith: "Though he slay me, yet will I trust in him." Toward the Divine Being, such a sentiment can never be misapplied; but, toward man, alas! it may be. In the case of General Jackson and the people of the United States, it was sadly misapplied. He did slay them with a vengeance, when they trusted in him with the most implicit faith, and from the most generous feelings of human nature.

It has been shown, in the first volume of this work, which of the two parties was wronged in 1825, and onward—General Jackson, or Mr. Clay.

The present chapter brings the political history of the country to the culmination of General Jackson's power and influence—to a point where it was absolute and uncontrolled. Some have supposed that the removal of the deposites was the boldest and strongest measure, as compared with his other acts of usurpation. The reason of this feeling doubtless arises from the immediate and intrinsic importance of the act. The democratic branch of the government had no power left when the purse was gone. The balance-power was annihilated at one blow. Therefore it has been thought that this was the most high-handed measure of all, as it gave the president what Mr. Calhoun at the time called the "armed interpretation" of the law. It will be recollected, that General Jackson claimed the right, as president, to execute the constitution and laws "as he understood them;" and understanding them as he *pleased*, he was of course, by his own rule, entitled to DO as he pleased. Having, therefore, the sword and the purse in his hand, the latter because he was *pleased* to take it, he was sustained by "armed interpretation." Nevertheless, the proposal to expunge the resolution of the senate, which disapproved of this violence to the constitution and laws, was doubtless a bolder act, than seizing the purse of the nation, because, after having done the deed, it was saying, "You shall not complain!" It was, in effect, *silencing* the democratic branch of the government! Of course, arbitrary power has no remaining obstacle in its path, after it has succeeded in silencing all remonstrance.

How General Jackson could so much have abused the confidence of a generous people, which had been reposed in him merely because they believed he had been wronged—defrauded of the presidency in 1825—as to be tempted to these outrages—is a question of casuistry which can not here be taken into consideration.

It is sufficient that he did so yield to the seductive claims of ambition, or of some other propensity, as to invade, and in a great measure demolish the democratic power of the constitution.

Soon after the resolution of the senate on the removal of the deposites, considered in the third chapter, had passed, the president sent in his protest, and claimed that it should be entered on the senate journal. It was couched in an imperious tone, and not less didactic than Mr. Taney's lecture, surnamed his report, to both houses of Congress. As the senate supposed they understood their own duties, and that they belonged to an independent branch of the government, they did not see fit to comply with this demand, and left the president's protest in his own hands.

As the Hon. John C. Calhoun is allowed to be a highly-gifted man, and has been somewhat prominent in the political world—though not always on the same side of the questions which have most agitated the country—it may be interesting—certainly it is instructive—to record here a few brief extracts from a speech he delivered, May 5, 1834, on the motion for the disposal of the president's protest. Among other things, Mr. Calhoun said :—

"The secretary was but the agent of the president in the transaction [removal of the deposites]. He had been placed in the situation he occupied expressly with a view of executing the orders of the president, who had openly declared that he assumed the responsibility. To omit, under these circumstances, an expression of the opinion of the senate, in relation to this transaction, *viewed as the act of the president*, would have been, on the part of the senate, a manifest dereliction of duty. * * * The question is not whether we had a right to pass the resolution. No. It is one of a very different character, and of much greater magnitude. It is whether the president had a right to question our decision."

Mr. Calhoun adduced, with great propriety and force, the following clause of the constitution, as determining the principle as to what transactions of Congress the president had any right to do with officially :—

"Every order, resolution, or vote, to which the CONCURRENCE of the senate and house of representatives may be necessary (except on a question of adjournment), shall be presented to the president of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill."

Mr. Calhoun then said : "Here a very important question presents itself, which, when properly considered, throws a flood of

light on the question under consideration. Why has the constitution limited the veto power to 'bills, and to the orders, votes, and resolutions,' requiring the *concurrence* of both houses? Why not also extend it to their *separate* votes, orders, or resolutions? But one answer can be given. The object is to *protect the independence* of the two houses—to prevent the executive from interfering with their proceedings, and from having any control over them, as is attempted in the protest—on the great principle which lies at the foundation of liberty, and without which it can not be preserved, that deliberative bodies should be left without extraneous control or influence, free to express their opinions, and to conduct their proceedings according to their own sense of propriety. And we find, accordingly, that the constitution has not only limited the veto to cases requiring the *concurrent* votes of the two houses, but has expressly vested each house with the power of establishing its own rules of proceeding, according to its will or pleasure, *without limitation or check.*

"Within these walls, the senate is the sole and absolute judge of its own powers; and in the mode of conducting our business, and in determining how and when our opinions ought to be expressed, there is no other standard of right or wrong, to which an appeal can be made, but the constitution and the rules of proceeding, established under the authority of the senate itself. And so solicitous is the constitution to secure to each house a full control over its own proceedings, *and the freest and fullest expression of opinion on all subjects, that even the majesty of the laws is relaxed, to secure a perfect freedom of debate.* * * * * * *

"But the part of this paper [the protest] which is most *characteristic*—that which lets us into the real nature and character of this movement—is the *source* from which the president derives the right to interfere with our proceedings. He does not even pretend to derive it from any power vested in him by the constitution, express or implied. He knew that such an attempt would be utterly hopeless; and accordingly, instead of a question of *right*, he makes it a question of *duty*, and thus *inverts the order of things—referring his rights to his duties, instead of his duties to his rights*, and forgetting that rights always precede duties, and are, in fact, but the obligations which they impose, and of course that they do not *confer* power, but impose obedience—obedience, in this case, to the constitution and laws, in the discharge of his official duties. The opposite view—that on which he acts, and which would give to the president the right to assume whatever duty he might choose, and to convert such duties into powers—would, if admitted, render him as absolute as the autocrat of all the Russias. Taking this erroneous view of his powers, he could be at little loss to justify his conduct. To justify, did I say? He takes higher—far higher ground: He makes his interference a matter of obligation—of sol-

emn obligation—imperious necessity—THE TYRANT'S PLEA. He tells us that it was due to his station, to public opinion, to proper self-respect, to the obligation imposed by his constitutional oath—his duty to see the laws faithfully executed—his responsibility as the head of the executive department—and to his obligation to the American people, *as their immediate representative*—to interpose his *authority* against the usurpations of the senate. Infatuated man! blinded by ambition, intoxicated by flattery and vanity! Who, that is the least acquainted with the human heart—who, that is conversant with the page of history, does not see, under all this, the workings of a dark, lawless, and insatiable ambition, which, if not arrested, will finally impel him to his own, or his country's ruin? It would be a great mistake to suppose that this protest is the termination of his hostility against the senate. It is but the commencement—it is the proclamation in which he makes known his will to the senate, claims their obedience, and admonishes them of their danger, should they refuse to repeal their ordinance—no, it is not an ordinance—it is a resolution. * * * He claims to be, not only the representative, but the *immediate* representative of the American people! What effrontery! What boldness of assertion! The *immediate* representative! Why, he never received a vote from the American people. He was elected by electors—[the colleges].

"But why this solicitude, on the part of the president, to place himself near to the people, and to push us off at the greatest distance? Why this solicitude to make himself their sole representative, their only guardian and protector, their only friend and supporter? The object can not be mistaken: It is *preparatory* to further hostilities—*to an appeal to the people!* * * * Let us bring under a single glance the facts of the case. He first seized upon the public money—took it from the custody of the law, and placed it in his own possession, as much so, as if placed in his own pocket. The senate disapproves of the act, and opposes the only obstacle that prevents him from becoming completely master of the public treasury. To crush the resistance which they interpose to his will, he seeks to quarrel with them; and with that view, seizes on the resolution in question as the pretext. He sends us a protest against it, in which he resorts to every art to enlist the feelings of the people on his side, preparatory to a *direct* appeal to them, with a view to engage them as allies in the war which he intends to carry on against the senate, till they submit to his authority. He has proclaimed in advance, that the right to interfere, involves the right to make that interference effectual. To make it so, force only is wanting. Give him an adequate force, and a speedy termination would be put to the controversy.

"Since, then, hostilities are intended, it is time that we should deliberate how we ought to act—how the assault upon our consti-

tutional rights and privileges ought to be met. If we consult what is due to the wisdom and dignity of the senate, there is but one mode: MEET IT ON THE THRESHOLD. Encroachments are most easily resisted at the commencement. It is at the extreme point —on the frontier—that, in a contest of this description, the assailant is the weakest, and the assailed the strongest. Permit the frontier of our rights to be passed, and let the question be, not *resistance* to usurpation, but *at what point* we shall resist, and the conquest [over us] will be more than half achieved. * * *

"Nor is the attempt to limit our legislative functions by our judicial, in reference to the resolution, less extraordinary. I had supposed that our judicial were in *addition* to our legislative functions, and not in *diminution*, and that we possess, to the full extent, without limitation or subtraction, all the legislative powers possessed by the house of representatives, with a single exception as provided by the constitution [the origination of revenue bills].

"But let us reflect a moment to what extent we must be carried, if we once admit the principle. If the senate has no right, in consequence of their judicial functions, to express an opinion by vote or resolution, in reference to the legality or illegality of the acts of public functionaries, they have no right to express such opinion individually in debate—as the objection [the principle?], if it exists at all, goes to the expression of an opinion by individuals, as well as by the body. He who has made up an opinion, and avowed it in debate, would be as much disqualified to perform his judicial functions as a judge, on a trial of impeachment, as if he had expressed it by vote; and of course, whatever restrictions the judicial functions of the senate may be supposed to impose, would be restrictions on the liberty of discussion, as well as that of voting; and consequently, destroy the freedom of debate secured to us by the constitution. * * * * * * * *

"I am mortified, that in this country, boasting of its Anglo-Saxon descent, that any one of respectable standing—much less the president of the United States—should be found entertaining principles leading to such monstrous results; and I can scarcely believe myself to be breathing the air of our country, and to be within the walls of the senate-chamber, when I hear such doctrines vindicated. It is proof of the wonderful degeneracy of the times —of the total loss of the true conception of constitutional liberty."

It should be observed, that the unconstitutional assumptions, by General Jackson, of regal prerogative—prerogative the most absolute—gave rise to the revival of the party names of WHIG and TORY, as they were used in England, when liberty in that country was doomed to struggle against royal prerogative. Hume says: "This year [1679] is remarkable for being the epoch of the well-known epithets of *whig* and *tory*." It was in allusion to this

new designation of parties in the United States, or rather to the revival of old names, that Mr. Calhoun said :—

" But, in the midst of this degeneracy, I perceive the symptoms of regeneration. It is not my wish to touch on the *party* designations that have recently obtained. I can not, however, but remark, that the revival of the party names of the revolution, after they had so long slumbered, is not without a meaning—not without an indication of a relation to those principles which lie at the foundation of liberty. Gentlemen ought to reflect, that the extensive and sudden revival of these names could not be without some adequate cause. Names are not to be taken or given at pleasure. There must be *something* to cause their application to *adhere*. If I remember rightly, it was Augustus, who, in all the plenitude of his power, said, that he found it impossible to introduce a new word. What, then, is that SOMETHING ? What is there in the meaning of WHIG and TORY, and what in the character of the times, which has caused their sudden revival as party designations ? I take it, that the very essence of toryism—that which constitutes a tory—is to sustain *prerogative* against *privilege*—to support the executive against the legislative department of the government, and to lean to the side of power, against the side of liberty—while the WHIG is, in all these particulars, of the very opposite principles. These are the leading characteristics of the respective parties, WHIG and TORY, and run through their application in all the variety of circumstances in which they have been applied, either in this country, or in Great Britain. Their sudden revival and application at this time, ought to admonish my old friends, who are now on the side of the administration, that there is *something* in the times—*something* in the existing struggle between the parties, and in the principles and doctrines advocated by those in power, which has caused this new and extensive application of these terms. I must say to those who are interested, that nothing but their *reversing* their course, can possibly prevent their application. They owe it to themselves—they owe it to the chief magistrate whom they support (who at least is venerable for his years) as the head of the party —that they should halt in the advocacy of the despotic and slavish doctrines which we hear daily advanced, before a return of the reviving spirit of liberty shall overwhelm them, and those who are leading them to their ruin. * * * I am content with tha [name—WHIG] which designates those with whom I act. It is, at least, an honest and a patriotic name. It is synonymous with resistance to usurpation—usurpation, come from what quarter, and under what shape, it may."

These, certainly, are remarkable sentiments, as coming from a man, who, not long afterward, gave in his adhesion to these high

claims of regal prerogative against liberty! As 1679 was the epoch when the party designations of whig and tory rose in England, the former having been applied to the advocates of popular rights against royal prerogative, and the latter to those who supported the absolute power of the crown, so 1834 was the epoch in American history, when these same party designations, which have prevailed uninterruptedly in England from 1679 down to this time, and which prevailed in the American colonies during the revolutionary war, were revived, in the manner specified by Mr. Calhoun, to commemorate the regal pretensions of General Jackson—the one applied to the party that opposed, and the other to the party that supported them; and precisely the same reasons for the use of these terms, in such an application, existed in the United States in 1834, as existed in England in 1679. Mr. Calhoun has shown philosophically, that the revival of the names, proves the existence of the cause.

The whigs of the United States, however, must confess to one of two things, either that the cause of this, or their own virtue, has abated. Mr. Calhoun has demonstrated, that they had good cause for the resuscitation of the name of whig, and for the use of its only opposite—tory. Why have they retained the former, and dropped the latter, when there is no use in the one without the other? Will they acknowledge, that the cause no longer exists? If so, they ought to lay aside their own name, as no longer appropriate. Without the name of tory, it means nothing, and is nothing.

The truth is, the whigs have yielded to the laws of courtesy, without realizing an equivalent—with infinite loss. They have allowed, and to a great extent, awarded the name of *democrats* to their opponents, which is the favorite name of the American people, and have thus contributed to their own perpetual disadvantage and defeat. If they had maintained the ground they occupied on the revival of the names of whig and tory, and conscientiously adhered to these party appellations, which designated principles—for they were true and fair designations—they would have soon gained the ascendency, and maintained it, so long as they proved themselves worthy of the name of whig. But they preferred politeness in a time of rude strife, when their opponents were not disposed to be equally courteous. The names were applicable on both sides, and there was what Mr. Calhoun calls a "something to cause their application to *adhere*." Precisely the same antagonist

principles have been in the field ever since; but the *occasion* that brought up the names, has passed over. The reward which the whigs have received for this forbearance and generosity, is to be themselves called tories by their opponents! When will the whigs learn wisdom? They seem not to have considered, that *names*, in this country, decide everything; that it is vain to contend against them; that their opponents are more sagacious; and that every time they apply the word *democrats* to the party opposed to them, they lose more than they gain by the best argument they can make.

That the terms whig and tory were applicable (and never more so in England or America) at the culminating point of General Jackson's power and influence, few will have the hardihood to deny. His will was absolute. Having been met by a resolute expression of the feelings of the senate on the removal of the deposites, he set himself to the task of humbling that body at his feet, and he succeeded!

In February, 1835, Mr. Benton, of Missouri, brought forward a resolution in the senate, to expunge that of the 28th of March, 1834, disapproving of the removal of the deposites, which failed on this occasion by a vote of 39 to 7. He continued, however, to agitate the subject, and at the second session of the next Congress, 1836–'7, when the proportion of senators in favor of Gen. Jackson had been largely increased, he again offered his expunging resolution, which was finally carried, January 16, 1837, by a vote of 24 to 19.

Yeas—Messrs. Benton, Brown, Buchanan, Dana, Ewing (of Illinois), Fulton, Grundy, Hubbard, King (of Alabama), Linn, Morris, Nicholas, Niles, Page, Rives, Robinson, Ruggles, Sevier, Strange, Tallmadge, Tipton, Walker, Wall, and Wright.

Nays—Messrs. Bayard, Black, Calhoun, Clay, Crittenden, Davis, Ewing (of Ohio), Hendricks, Kent, Knight, Moore, Prentiss, Preston, Robbins, Southard, Swift, Tomlinson, Webster, and White.

The debate on this occasion, as might be supposed, was one of great warmth. The question involved was, whether the democratic branch of the government should continue to maintain its independence of the regal power of the constitution, and be permitted freely to express its opinions; or whether it should succumb to the mandates of the executive?

Mr. Clay made a speech worthy of himself on this occasion. The following are a few of his concluding remarks—after which he retired from the senate-chamber, resolved not to witness the act of degradation on that body, and of national humiliation, which had been decreed by absolute power, which was sustained by a majority of obsequious senators, and which was about to be consummated:—

"Mr. President, what patriotic purpose is to be accomplished by this expunging resolution! What new honor or fresh laurels will it win for our common country? Is the power of the senate so vast that it ought to be circumscribed, and that of the president so restricted, that it ought to be extended? What power has the senate? None, separately. It can only act jointly with the other house, or jointly with the executive. And although the theory of the constitution supposes, when consulted by him, it may freely give an affirmative or negative response, according to the practice, as it now exists, it has lost the faculty of pronouncing the negative monosyllable. When the senate expresses its deliberate judgment, in the form of resolution, that resolution has no compulsory force, but appeals only to the dispassionate intelligence, the calm reason, and the sober judgment of the community. The senate has no army, no navy, no patronage, no lucrative offices, nor glittering honors to bestow. Around us there is no swarm of greedy expectants, rendering us homage, anticipating our wishes, and ready to execute our commands.

"How is it with the president? Is he powerless? He is felt from one extremity to the other of this vast republic. By means of principles which he has introduced, and innovations which he has made in our institutions, alas! but too much countenanced by Congress and a confiding people, he exercises uncontrolled the power of the state. In one hand he holds the purse, and in the other brandishes the sword of the country. Myriads of dependents and partisans, scattered over the land, are ever ready to sing hosannahs to him, and to laud to the skies whatever he does. He has swept over the government, during the last eight years, like a tropical tornado. Every department exhibits traces of the ravages of the storm. Take, as one example, the bank of the United States. No institution could have been more popular with the people, with Congress, and with state legislatures. None ever better fulfilled the great purposes of its establishment. But it unfortunately incurred the displeasure of the president. He spoke, and the bank lies prostrate. And those who were loudest in its praise are now loudest in its condemnation. What object of his ambition is unsatisfied? When disabled from age any longer to hold the sceptre of power, he designates his successor, and transmits it to his favorite. What more does he want? Must we blot, deface,

and mutilate the records of the country to punish the presumptuousness of expressing an opinion contrary to his own?

"What patriotic purpose is to be accomplished by this expunging resolution? Can you make that not to be which has been? Can you eradicate from memory and from history the fact, that in March, 1834, a majority of the senate of the United States passed the resolution which excites your enmity? Is it your vain and wicked object to arrogate to yourselves that power of annihilating the past which has been denied to Omnipotence itself? Do you intend to thrust your hands into our hearts, and to pluck out the deeply-rooted convictions which are there? or is it your design merely to stigmatize us? You can not stigmatize US.

"'Ne'er yet did base dishonor blur our name.'

"Standing securely upon our conscious rectitude, and bearing aloft the shield of the constitution of our country, your puny efforts are impotent, and we defy all your power. Put the majority of 1834 in one scale, and that by which this expunging resolution is to be carried, in the other, and let truth and justice, in heaven above and on the earth below, and liberty and patriotism, decide the preponderance.

"What patriotic purpose is to be accomplished by this expunging? Is it to appease the wrath, and to heal the wounded pride, of the chief magistrate? If he be really the hero that his friends represent him, he must despise all mean condescension, all grovelling sycophancy, all self-degradation, and self-abasement. He would reject with scorn and contempt, as unworthy of his fame, your black scratches, and your baby lines in the fair records of his country. Black lines! Black lines! Sir, I hope the secretary of the senate will preserve the pen with which he may inscribe them, and present it to that senator of the majority whom he may select as a proud trophy, to be transmitted to his descendants. And hereafter, when we shall lose the forms of our free institutions, all that now remain to us, some future American monarch, in gratitude to those by whose means he has been enabled, upon the ruins of civil liberty, to erect a throne, and to commemorate especially this expunging resolution, may institute a new order of knighthood, and confer on it the appropriate name of THE KNIGHT OF THE BLACK LINES.

"But why should I detain the senate, or needlessly waste my breath in fruitless exertions? The decree has gone forth. It is one of urgency, too. The deed is to be done—that foul deed, like the blood-stained hands of the guilty Macbeth, all ocean's waters will never wash out. Proceed, then, to the noble work which lies before you, and like other skilful executioners, do it quickly. And when you have perpetrated it, go home to the people, and tell them what glorious honors you have achieved for our common

country. Tell them that you have extinguished one of the brightest and purest lights that ever burned at the altar of civil liberty. Tell them that you have silenced one of the noblest batteries that ever thundered in defence of the constitution, and bravely spiked the cannon. Tell them that, henceforward, no matter what daring or outrageous act any president may perform, you have for ever hermetically sealed the mouth of the senate. Tell them that he may fearlessly assume what power he pleases, snatch from its lawful custody the public purse, command a military detachment to enter the halls of the capitol, overawe Congress, trample down the constitution, and raze every bulwark of freedom; but that the senate must stand mute, in silent submission, and not dare to raise its opposing voice; that it must wait until a house of representatives, humbled and subdued like itself, and a majority of it composed of the partisans of the president, shall prefer articles of impeachment. Tell them, finally, that you have restored the glorious doctrine of passive obedience and non-resistance, and, if the people do not pour out their indignation and imprecations, I have yet to learn the character of American freemen."

When the vote was about to be taken, Mr. Webster, of Massachusetts, in his own behalf, and in behalf of his colleague, Mr. Davis, addressed an *oral* protest to the senate, through the president, which, not less for its eloquence and pertinency, than for the valuable information which it discloses, is thought worthy of a place here, and may be found in the note below.*

* The debate having closed, and the question being about to be put, Mr. Webster rose, and addressed the senate as follows:—

"Mr. President: Upon the truth and justice of the original resolution of the senate, and upon the authority of the senate to pass that resolution, I had an opportunity to express my opinions at a subsequent period, when the president's protest was before us. These opinions remain altogether unchanged. And now, had the constitution secured the privilege of entering a protest on the journal, I should not say one word on this occasion; although, if what is now proposed, shall be accomplished, I know not what would have been the value of such a provision, however formally or carefully it might have been inserted in the body of that instrument. But, as there is no such constitutional privilege, I can only effect my purpose by thus addressing the senate; and I rise, therefore, to make that PROTEST in this manner, in the face of the senate, and in the face of the country, which I can not present in any other form.

"I speak in my own behalf, and in behalf of my colleague. We both speak as senators from the state of Massachusetts, and as such we solemnly PROTEST against this whole proceeding. We deny that senators from other states have any power or authority to expunge any vote or votes which we have given here, and which we have recorded agreeably to the express provision of the constitution. We have a high personal interest; and the state whose representatives we are, has also a high interest in the entire preservation of every part and parcel of the record of our conduct, as members of the senate. This record the constitution solemnly declares shall be KEPT. But the resolution before the senate declares that this record shall be EXPUNGED.

"Whether subterfuge or evasion, and, as it appears to us, the degrading mockery of drawing black lines upon the journal, shall or shall not leave our names and our votes legible, when this violation of the record shall have been completed,

The expunging resolution, preceded by a chapter of nine long "WHEREASES," "like a kite or a comet," as Mr. Clay said, "except that the order of nature is inverted, and the tail, instead of

still the terms 'TO EXPUNGE,' and the terms 'TO KEEP,' when applied to a record, import ideas exactly contradictory—as much so as the terms *to preserve*, and the terms *to destroy*. A record which is *expunged*, is not a record which is *kept*, any more than a record which is *destroyed* can be a record which is *preserved*. The part expunged is no longer part of the record. It has no longer a legal existence. It can not be certified as a part of the proceeding of the senate for any purpose of proof or evidence.

"The object of the provision in the constitution, as we think, most obviously is, that the proceedings of the senate shall be preserved in writing—not for the present only, not until published only, because a copy of the printed journal is not regular legal evidence—but preserved indefinitely, preserved as other records are preserved, till destroyed by time or accident.

"Every one must see, that matters of the highest importance depend on the permanent preservation of the journals of the two houses. What but the journals show that bills have been regularly passed into laws, through the several stages? What but the journal shows, who are members, who is president or speaker, or secretary, or clerk of the body? What but the journal contains the proof necessary for the justification of those who act under our authority, and who, without the power of producing such proof, must stand as trespassers? What but the journals show who is appointed, and who rejected, by us, on the president's nomination?—or who is acquitted, who convicted, in trials on impeachment? In short, is there at any time, any other regular and legal proof of any act done by the senate than the journal itself? The idea, therefore, that the senate is bound to preserve its journal only until it is published, and then may alter, mutilate, or destroy it at pleasure, appears to us one of the most extraordinary sentiments ever advanced.

"We are deeply grateful to those friends who have shown, with so much clearness, that all the precedents relied upon to justify or excuse this proceeding, are either not to the purpose, or from times and circumstances at and under which they happened, are no way entitled to respect in a free government, existing under a written constitution. But for ourselves, we stand on the plain words of the constitution itself. A thousand precedents elsewhere made, whether ancient or modern, can neither rescind, nor control, nor explain away these words. The words are, that 'each house shall KEEP a journal of its proceedings.' No gloss, no ingenuity, no specious interpretation—and much less can any fair or just reasoning—reconcile the process of expunging with the plain meaning of these words, to the satisfaction of the common sense and honest understanding of mankind.

"If the senate may now expunge one part of the journal of a former session, it may with equal authority expunge another part, or the whole. It may expunge the entire record of any one session, or of all sessions. It seems to us inconceivable how any man can regard such a power, and its exercise at pleasure, as consistent with the injunction of the constitution. It can make no difference what is the completeness or incompleteness of the act of expunging, or by what means done—whether by erasure, obliteration, or defacement. If by defacement, as here proposed, whether one word, or many words, are written on the face of the record—whether little ink, or much ink, is shed on the face of the paper—or whether some part, or the whole, of the originally written journal, may yet, by possibility, be traced. If the act done, be an act to expunge, to blot out, to obliterate, to erase the record, then the record is expunged, blotted out, obliterated, or erased. And mutilation and alteration violate the record, as much as obliteration or erasure. A record subsequently altered, is not the original record. It no longer gives a just account of the proceedings of the senate. It is no longer true. It is in short, no journal of the real and actual proceedings of the senate, such as the constitution says, each house shall keep. The constitution, therefore, is, in our deliberate judgment, violated by this proceeding, in the most plain and open manner.

"The constitution, moreover, provides, that the YEAS and NAYS on any question shall, at the request of one fifth of the members present, *be entered on the journal.*

being behind, is before the body to which it is appended"—citing facts, as a basis of action, which were disputed—was couched in the following terms:—

"*Resolved*, That the said resolve be expunged from the journal; and for that purpose, that the secretary of the senate, at such time

This provision, most manifestly, gives a personal right to those members who may demand it, to the entry and preservation of their votes on the record of the proceedings of the body—not for one day, or one year only, but for all time. There the YEAS and NAYS are to stand for ever, as permanent and lasting proof of the manner in which members have voted, on great and important questions before them.

"But it is now insisted, that the votes of members, taken by YEAS and NAYS, and thus entered on the journal, as matter of right, may still be expunged—so that that which it requires more than four fifths of the senators to prevent from being put on the journal, may, nevertheless, be struck off and erased the next moment, or at any period afterward, by the will of a mere majority. Or if this be not admitted, then the absurdity is adopted of maintaining, that this provision of the constitution is fulfilled by merely preserving the YEAS and NAYS on the journal, after having expunged and obliterated the very resolution, or the very question, on which they were given, and to which alone they refer—leaving the YEAS and NAYS thus a mere list of names, connected with no subject, no question, no vote. We put it to the impartial judgment of mankind, if this proceeding be not, in this respect also, directly and palpably inconsistent with the constitution?

"We protest, in the most solemn manner, that other senators have no authority to deprive us of our personal rights, secured to us by the constitution, either by expunging, or obliterating, or mutilating, or defacing the record of our votes duly entered by YEAS and NAYS; or by expunging and obliterating the resolutions or questions on which these votes were given and recorded.

"We have seen, with deep and sincere pain, the legislatures of respectable states instructing the senators of those states, to vote for and support this violation of the journal of the senate; and this pain is infinitely increased by our full belief, and entire conviction, that most, if not all these proceedings of states had their origin in promptings from Washington; that they have been urgently requested and insisted on as being necessary to the accomplishment of the intended purpose; and that it is nothing else but the influence and power of the executive branch of this government, which has brought the legislatures of so many of the free states of this Union to quit the sphere of their ordinary duties for the purpose of coöperating to accomplish a measure, in our judgment, so unconstitutional, so derogatory to the character of the senate, and marked with so broad an impression of compliance with power.

"But this resolution is to pass. We expect it. That cause which has been powerful enough to influence so many state legislatures, will show itself powerful enough, especially with such aids, to secure the passage of this resolution here. We make up our minds to behold the spectacle which is to ensue. We collect ourselves to look on in silence, while a scene is exhibited, which, if we did not regard it as ruthless violation of a sacred instrument, would appear to us to be little elevated above the character of a contemptible farce. This scene we shall behold, and hundreds of American citizens, as many as may crowd into these lobbies and galleries, will behold it also—with what feelings, I do not undertake to say.

"But we PROTEST—we most solemnly PROTEST—against the substance, and against the manner of this proceeding—against its object, against its form, and against its effect. We tell you that you have no right to mar or mutilate the record of our votes given here, and recorded according to the constitution. We tell you, that you may as well erase the YEAS and NAYS on any other question or resolution, or on all questions and resolutions, as on this. We tell you, that you have just as much right to falsify the record, by so altering it, as to make us appear to have voted on any question as we did not vote, as you have to erase a record, and make that page a blank, in which our votes, as they were actually given and recorded, now stand. The one proceeding, as it appears to us, is as much a falsification of the record, as the other.

"Having made this PROTEST, our duty is performed. We rescue our own names, character, and honor, from all participation in this matter; and whatever the way-

as the senate may appoint, shall bring the manuscript journal of the session of 1833–'4 into the senate, draw black lines round the said resolve, and write across the face thereof, in strong letters, the following words: EXPUNGED BY ORDER OF THE SENATE, THIS SIXTEENTH DAY OF JANUARY, IN THE YEAR OF OUR LORD, EIGHTEEN HUNDRED AND THIRTY-SEVEN."

When the vote was taken, Mr. Benton moved, that the act be forthwith done, and as soon as the secretary had executed the deed, vehement and repeated hisses were expressed in the galleries of the senate-chamber; whereupon, Mr. King, of Alabama, being in the chair, ordered the galleries to be cleared. Mr. Benton objected, and said: "Let the ruffians be apprehended by the sergeant-at-arms, and brought to the bar of the senate. Let him seize the ruffians—the bank ruffians!"

The order of the chair to clear the galleries was then revoked, and the sergeant-at-arms directed to bring the offenders to the bar of the senate. This officer soon returned, having in his custody "a tall, well-dressed man, wrapped in a black overcoat," name not given, and presented him at the bar. Mr. Benton, allowing that the public exposure was a sufficient punishment, moved that he be discharged; but Mr. Morris rose and said: "Call you this the justice of the senate of the United States? Are citizens to be treated in this manner—brought to the bar of the senate without a hearing?" Mr. Morris demanded the YEAS and NAYS, and proposed that the man be allowed a hearing and counsel. This Mr. Benton opposed—said he might purge himself with an oath—and added—"No consulting with lawyers." The YEAS and NAYS being called, 27 voted for discharge, and ONE in the negative. The man then advanced, and addressing the chair, said: "Mr. President, am I not to be permitted to speak in my own defence?" The chairman turned to the sergeant-at-arms, and said: "TAKE HIM OUT!" And thus the matter ended.

ward character of the times, the headlong and plunging spirit of party devotion, or the fear or the love of power, may have been able to bring about elsewhere, we desire to thank God that they have not, as yet, overcome the love of liberty, fidelity to true republican principles, and a sacred regard for the constitution in that state whose soil was drenched to a mire, by the first and best blood of the revolution. Massachusetts, as yet, has not been conquered; and while we have the honor to hold seats here as her senators, we shall never consent to a sacrifice, either of her rights, or our own. We shall never fail to oppose what we regard as a plain and open violation of the constitution of the country; and we should have thought ourselves wholly unworthy of her, if we had not, with all the solemnity and earnestness in our power, PROTESTED against the adoption of the resolution now before the senate."—(See *Niles's Register*, vol. li., p. 331, 1836–'37.)

CHAPTER VI.

THE PROTECTIVE POLICY.

A New Doctrine in Political Economy.—The Protective Policy and Freedom identical.—Mr. Clay's Debût on the Protective Policy.—His first Speech in Congress on the Subject.—Protection of the Interests of Navigation.—Navigation Acts.—Condition of Manufactures after the War of 1812.—Tariff of 1816.—Its Inadequacy.—The Unsuccessful Attempt for a Tariff in 1820.—Mr. Clay's Efforts at that Time.—Disastrous Consequences of the Failure.—The Tariff of 1824.—Mr. Clay's Exertions in its behalf.—Machine Power.—A Measure of the Wealth of Nations.—Balance of Trade.—Policy of European States.—Russian Policy.—Policy of Napoleon.—What the British think of American Policy.—American Free Trade Policy is British Policy.

THE second great branch of the American system (that of internal improvement having been already considered), is the PROTECTIVE POLICY.

There is one great principle in the protective policy, as it respects the United States, yet to be developed. It has frequently been announced by sagacious observers, but, so far as the author knows, has never assumed the position of a doctrine in political economy. The opposite of this doctrine has frequently dropped, in the shape of confession, from the advocates of the protective system, in the following loose form: That, if all nations would adopt the system of free trade, it would be best for all parties.

It is shown, in other parts of this work, that the protection of labor in the United States, against the low prices to which it is doomed in Europe and other parts of the world, is identical with freedom. It is on this principle that the following proposition is based: *That universal free trade, if it could at once be adopted by all nations, would be destructive of American freedom.*

The opposite of this proposition is often affirmed, by advocates of the protective system, as is believed, without a consideration of consequences; or, it might, perhaps, be more correct to say, it is *admitted* by them, as may safely be done, since a general agreement in such a commercial system, as universal free trade, is not to be expected—is in fact impracticable. They say to their oppo-

nents: "Secure to us universal free trade, and we will go with you. But to have free ports in one nation, and not in another, is unjust." This last is commonly, and very properly, called one-sided free trade. There is no difficulty in making out the argument against it, though it seems for ever to be held in debate.

But, though this pledge to go for free trade on the condition of universal consent, is a very safe one, yet, with the United States, such a system would be entirely destructive of the great objects of their government and institutions. If equality in all other particulars could be made a part of the condition, it might perhaps do. But such equality can not be found, and can not be effected. At the starting point of such a universal free system, so far as ports of entry are concerned, American labor would have to meet European and other foreign labor on the same level—that is, it would have to come *down* to it. The state of political society is such in Europe, that labor is depressed, and does not obtain its fair compensation. It is compelled to perform its task, on an average, at about one third of the price of American labor. Other things being equal (they never would be exactly equal, but near enough to give all the required force to the present argument), the employers of European labor, by the forbearance of their respective governments on the subject of taxation—which would be their policy for a season—would be able at once to come into the market at prices which would tend directly and effectually to reduce American labor to the same condition of bondage with European. It would tend at the same time, and not less effectually, to break down those establishments which employ a large portion of American labor.

It can not be said, as shown elsewhere, that this proves, that the prices of articles now protected, would be cheapened, and that protection enhances the prices of such articles. They would be cheapened no longer, and no further, than, as a temporary policy, to break down the American producers, and subdue American labor, which being accomplished, and a monopoly acquired—at least superior advantages—the foreign factors would then be able to command their own prices, and would immediately raise them higher than they ever are under a system of protection, as all experience snows. European governments, knowing that their subjects had free entry into American ports, would relax or augment the burdens of taxation, according to circumstances, maintaining them just at the point, at which they could be sure to derive the greatest income—and that must always be the point where their own factors

could most effectually secure the American market. European taxes would rise just in proportion as European factors, trading with the United States, could safely raise prices, and that would always be precisely at the point where they could keep down American establishments of the same kind.

The effect of the system would be, that the governments and higher conditions of society in Europe, which always absorb more than half of the fair compensation of European labor, and necessarily depress it to a condition of hopeless bondage, would be able to throw the same oppressive influence over American labor, and reduce it to the same condition. They would be able to tax the people of the United States just as much as they tax their own subjects, in the same way, and by the same means, because there would be no obstacle. Their own labor is already down to the lowest sufferable point, entirely subject to their control, and under a system of universal free trade, could and would be employed by them, as an agency, to reduce American labor to the same level. It is probably true, that, since the establishment of American independence, the American people, in consequence of the imperfect system of the American protective policy, have, indirectly, by the consumption of British manufactures, borne a burden of taxation, for the support of the British government and British institutions, not less than half the amount imposed on British subjects—all to the detriment of American interests.

It is not true, therefore, that the people of the United States can safely go upon a platform of universal free trade, if all other nations would consent to adopt it. It might be true, if all other things were equal, if all other nations were equally free, and if none of them had superior advantages in the producing arts, already acquired, that would enable them, under such a system, to crush American establishments in a state of comparative infancy. But the inequality in these comprehensive particulars, and in all their diversified ramifications, is decided and great. Nor is there any immediate prospect, that it will be diminished. Labor is the producer of wealth, wealth is power, and the state of society in Europe is designed to secure the wealth, and consequently the power, to a few.

Labor in Europe constitutes the power of its governments, by being kept under their control, and being forced to minister to their purposes. It is one of their cares to keep labor under, by robbing it of its reward. On a platform of free trade with the United States,

they would be able to use this power effectively against American labor. It would be absolutely necessary for them to do so, for the maintenance of their position. Under a system of free trade, either European labor, in such hands, and so employed, must enslave American labor, or the latter must emancipate the former. Such emancipation would be impossible, because American labor could not compete with European labor on European ground—certainly not in any degree sufficient to relieve its condition. It could not compete on its own ground. American labor, therefore, would be obliged to yield, to succumb—would be reduced and enslaved.

If, then, it should be asked, why do not the European governments all go for free trade? it may be answered, first, it is contended by some, that they are going for it; and if so, this, doubtless, is the reason, and it is the thing, in such a case, most of all to be feared by the people of the United States, as they must be aimed at as victims of such a seductive example. But, secondly, it does not appear that the governments of Europe are tending that way, and so far as England has relaxed her system of imposts, it is shown in another part of this work, that it is done on the principle of protection. Thirdly, the commercial systems of Europe, so far as they are framed by the governments, are old, and can not be easily modified. All changes in them must be very gradual and very slow, for their own safety. Fourthly, they were not framed in view of the United States, but chiefly in view of each other, or of all the world; and though their commercial connexions with the United States have been constantly on the increase, they are not even yet sufficient to invoke a change in their policy. They are not likely to consent to a system of free trade, even if the United States should be unwise enough to ask for that which would be their ruin. There is probably no nation in the world, that would be injured so soon and so much, by a system of universal free trade, as the United States—simply because there is no nation where labor commands so fair a compensation. It is labor first and chiefly that realizes the benefit of the protective policy; and labor would be the first victim of free trade. Not that all other interests are not concerned in it; but labor has the greatest interest.

It would, therefore, be fatal to the interests, and death to the freedom, of the United States, to enter into a compact for a universal system of free trade, notwithstanding it has been supposed by some of the advocates of the protective policy, that it might be safely done. This, it is admitted, is a theory which has little chance

of being reduced to practical operation, for the reason that universal consent can never be obtained. Nevertheless, it is a view of the subject which adds great force to the argument for protection, and casts much light on the protective system, as applicable to the United States. It is going behind the usual purposes of the protective policy, which are those of interest, and showing how it stands related to that most precious and most sacred of all American rights —FREEDOM. It undoubtedly has a vital connexion with this boon. It is impossible to look at the spectacle of European power and authority over labor, and not have some sense of this relation. Will that power—that authority—willingly relinquish its advantages—abandon its position? It has an iron grasp on the labor of a continent, receiving more than a moiety of its reward, any fraction of which it can afford to part with for a season, in a conflict with American labor, with the view of ultimately realizing an equal portion of the latter's reward, and reducing it to the same condition with the victim of its own constant oppression. It is only by extending the shield of protection over American labor, that it is saved from this doom. It is for this reason that the United States should indignantly reject, if they should receive, the offer of universal free trade.

But the main object now in view, is to exhibit Mr. Clay's doctrines on the protective system. His *debût* as a statesman, in this cause, was made in 1808, at the age of twenty-five, in the legislature of Kentucky, when he moved a resolution in that body, that the members, as an example to the people, and as an expression of patriotic duty in giving countenance and support to domestic manufactures, should clothe themselves, from head to foot, in articles of domestic fabric and production.

The first speech made by Mr. Clay in Congress on the protective policy, was in the senate, April 6, 1810, while in all the freshness of his youth as a statesman. The following is an extract:—

"The opposition to manufacturing institutions recalls to my recollection the case of a gentleman, of whom I have heard. He had been in the habit of supplying his table from a neighboring cook and confectioner's shop, and proposed to his wife a reform, in this particular. She revolted at the idea. The sight of a scullion was dreadful, and her delicate nerves could not bear the clattering of kitchen furniture. The gentleman persisted in his design: his table was thenceforth cheaper and better supplied, and his neighbor, the confectioner, lost one of his best customers. In like manner, Dame Commerce will oppose domestic manufactures.

She is a flirting, flippant, noisy jade, and if we are governed by her fantasies, we shall never put off the muslins of India and the cloths of Europe. But I trust that the yeomanry of the country, the true and genuine landlords of this tenement, called the United States, disregarding her freaks, will persevere in reform, until the whole national family is furnished by itself with the clothing necessary for its own use.

"It is a subject no less of curiosity than of interest, to trace the prejudices in favor of foreign fabrics. In our colonial condition, we were in a complete state of dependence on the parent-country, as it respected manufactures, as well as commerce. For many years after the war, such was the partiality for her productions, in this country, that a gentleman's head could not withstand the influence of solar heat, unless covered with a London hat; his feet could not bear the pebbles, or frost, unless protected by London shoes; and the comfort or ornament of his person was only consulted when his coat was cut out by the shears of a tailor 'just from London.' At length, however, the wonderful *discovery* has been made, that it is not absolutely beyond the reach of American skill and ingenuity, to provide these articles, combining with equal elegance greater durability. And I entertain no doubt, that, in a short time, the no less important fact will be developed, that the domestic manufactories of the United States, fostered by government, and aided by household exertions, are fully competent to supply us with at least every necessary article of clothing. I therefore, sir, *for one* (to use the fashionable cant of the day), am in favor of encouraging them, not to the extent to which they are carried in England, but to such an extent as will redeem us entirely from all dependence on foreign countries. There is a pleasure—a pride (if I may be allowed the expression, and I pity those who can not feel the sentiment)—in being clad in the productions of our own families. Others may prefer the cloths of Leeds and of London, but give me those of Humphreysville.

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"The three great subjects that claim the attention of the national legislature, are the interests of agriculture, commerce, and manufactures. We have had before us, a proposition to afford a manly protection to the rights of commerce, and how has it been treated? Rejected! You have been solicited to promote agriculture, by increasing the facilities of internal communication, through the means of canals and roads, and what has been done? Postponed! We are now called upon to give a trifling support to our domestic manufactures, and shall we close the circle of congressional inefficiency, by adding this also to the catalogue?"

The British colonial system, commonly so called, as it applies to the United States, has been of serious consequence to the navi-

gating interests of this country, over which the government is equally bound to extend its protection, as over other interests of the people. It is a branch of the protective policy. After the peace of Ghent, Great Britain adopted measures to exclude the navigation of the United States from the British West Indies and her other American colonies, comprehending a trade estimated at six millions of dollars; but by a clause in the second article of the convention of London, the right of a countervailing policy was left open to the United States. On the basis of this right, an effort was made in Congress, in 1816, and 1817, to exclude from the ports of the United States all foreign vessels, British or other, trading with those British possessions, from which American vessels were excluded, and Mr. Clay supported the measure on the principle of retaliation, with a view to force Great Britain to a reciprocity, and to recover those rights of navigation for American shipping. He said:—

"The policy of Great Britain was deeply laid in selfish considerations—a policy which she had never relaxed, except in periods of war, when it became her interest to do so. The question was, whether the total exclusion of our ships from the colonial ports of Great Britain, was such a measure as we ought to fold our arms and submit to? The effect was to deprive us of the advantages, in the augmentation of our commerce, and in the increase of our seamen, which would result from the carriage of our own produce, to the amount of six millions of dollars. With regard to the importance of encouraging our own navigation, he said, he need not resort to argument. Some measure ought to be devised, by which the navigation of Great Britain should be prevented from enjoying peculiar advantages over us, in a trade wherein reciprocity had been solemnly promised by the convention of London."

The measure, however, failed. In 1818, a like attempt was more successful; in 1820, the act of 1818 was superseded by a new one; and so again in 1823—the design of each of which was to bring Great Britain to terms. Attempts at negotiation were made under the administration of Mr. John Q. Adams, but the death of the British prime minister, Mr. Canning, put the question into new hands, and deferred a settlement. In 1829, Mr. Louis McLane was sent to London by General Jackson, with instructions on this subject; the question was claimed to be advantageously settled, and the transaction much lauded; the practical operation of which, however, made it worse than it was before, and it has never yet been satisfactorily arranged. Nothing has proved more

deceptive, or more injurious to the navigating interests of the United States, than those commercial treaties, professedly based on principles of reciprocity—a mock reciprocity. The great commercial nations, such as England, France, Russia, Sweden, Portugal, Holland, and Belgium, have taken good care not to be caught in the American trap, and have sprung it on the trappers, by loaning their own craft to the flags of the small and non-commercial states, such as Denmark, Hamburgh, Bremen, Prussia, Brazil, Tuscany, Rome, and Greece, which had nothing to lose, and everything to gain, by arrangements of this kind, with the United States. Thus the larger commercial powers have *stolen* the benefit, and escaped from the obligation of reciprocity!

With this exception, the navigating interests of the country have received a very fair protection from the government. It is not, perhaps, commonly considered by those engaged in this pursuit, that if this protection were taken away, the American commercial marine would not only be chiefly driven from the seas by foreign competition, but even the coasting trade of the United States would be carried on by craft built and manned in the north of Europe, at about half the expense of American shipping, and at half the wages of American seamen. On the basis of free trade, it would be impossible for the navigation of the United States to compete with foreign craft.

But the protection of domestic manufactures, and of other home interests, seems always to have proved one of the most difficult questions in the political economy of the United States, though it is in fact one of the simplest and plainest.

The peace of Ghent left the manufactures of the United States, which had been reared during the war to answer the necessities of the country, and of which the war itself was a sufficient protection, in a defenceless condition. The products of British and other European manufacture, poured into the country at a rate to threaten the existence of American establishments, and the ruin of the currency, by the withdrawal of specie to pay for them. The tariff of 1816 was not enacted to go into operation till a year and a half after the peace; and when it came, it proved equally inadequate to protect American manufactures, and to check the alarming balances of trade which were heaping up against the nation, by the influx of foreign products. Mr. Clay had labored faithfully in 1816 to get a tariff that would answer the necessities of the country; but in vain. The disappointment and distress which he predicted

followed. As the nation was constantly buying more than it sold, the money of the country was necessarily required to pay the balance; and like a private individual who does the same thing, and precisely for the same reason, the country grew poorer and poorer, till it was compelled to stop payment by a general bank suspension—for that is the only mode in which a nation stops payment, and to which it is necessarily compelled, when, for a length of time, beyond what it can bear, it continues to buy more than it sells. The balance is demanded in specie, which is drawn from the banks, till, in self-defence, they close their vaults. And that is the insolvency of a commercial nation. Nor is it an abuse of the monetary system, as some aver. It is real poverty. The money is gone, and has to be made again, by living within means, and by hard work.

The general distress consequent on the defects of the tariff of 1816, led to an attempt in Congress to get up a new one in 1820; and on the 22d of March, of that year, Mr. Baldwin, of Pennsylvania (afterward judge of the supreme court of the United States, and since deceased), reported a bill from the committee of the house on manufactures, to supply the deficiencies of the existing tariff. Justice Baldwin, in speaking of Mr. Clay's zeal and efforts for the passage of this bill, once said, that "he discharged the triple duties of a rank-and-file man, captain, and general-in-chief." The bill passed the house by a vote of 90 to 69, but was lost in the senate by 22 to 20. The following are extracts from a speech of Mr. Clay on that bill, in the house of representatives, April 20, 1820:—

"Mr. Chairman, whatever may be the value of my opinions on the interesting subject now before us, they have not been hastily formed. It may possibly be recollected by some gentlemen, that I expressed them when the existing tariff was adopted; and that I then stated, that the period of the termination of the war, during which the manufacturing industry of the country had received a powerful spring, was precisely that period when government was alike impelled, by duty and interest, to protect it against the free admission of foreign fabrics, consequent upon a state of peace. I insisted, on that occasion, that a less measure of protection would prove more efficacious, at that time, than one of greater extent at a future day. My wishes prevailed only in part; and we are now called upon to decide whether we will correct the error which, I think, we then committed.

"In considering the subject, the first important inquiry that we should make is, whether it be desirable that such a portion of the

capital and labor of the country should be employed in the business of manufacturing, as would furnish a supply of our necessary wants? Since the first colonization of America, the principal direction of the labor and capital of the inhabitants, has been to produce raw materials for the consumption or fabrication of foreign nations. We have always had, in great abundance, the means of subsistence, but we have derived chiefly from other countries, our clothes, and the instruments of defence. Except during those interruptions of commerce arising from a state of war, or from measures adopted for vindicating our commercial rights, we have experienced no very great inconvenience heretofore from this mode of supply. The limited amount of our surplus produce, resulting from the smallness of our numbers, and the long and arduous convulsions of Europe, secured us good markets for that surplus in her ports, or those of her colonies. But those convulsions have now ceased, and our population has reached nearly ten millions. A new epoch has arisen; and it becomes us deliberately to contemplate our own actual condition, and the relations which are likely to exist between us and the other parts of the world. The actual state of our population, and the ratio of its progressive increase, when compared with the ratio of the increase of the population of the countries which have hitherto consumed our raw produce, seem, to me, alone to demonstrate the necessity of diverting some portion of our industry from its accustomed channel. We double our population in about the term of twenty-five years. If there be no change in the mode of exerting our industry, we shall double, during the same term, the amount of our exportable produce. Europe, including such of her colonies as we have free access to, taken altogether, does not duplicate her population in a shorter term, probably, than one hundred years. The ratio of the increase of her capacity of consumption, therefore, is, to that of our capacity of production, as one is to four. And it is manifest, from the simple exhibition of the powers of the consuming countries, compared with those of the supplying country, that the former are inadequate to the latter. It is certainly true, that a portion of the mass of our raw produce, which we transmit to her reverts to us in a fabricated form, and that this return augments with our increasing population. This is, however, a very inconsiderable addition to her actual ability to afford a market for the produce of our industry."

The unsuccessful attempt to make a new tariff in 1820, supported so strongly as it was in the house of representatives—of which Mr. Clay was then speaker—but unfortunately lost in the senate, was a very important and eventful point in the political history of the country. Its failure doomed the people to four years of incalculable loss, and great distress, from which they did not

begin to emerge till they were rescued by the tariff of 1824. The position of Mr. Clay in the tariff bill of 1816, is recognised in the above extract. He then predicted what afterward came to pass, resulting from the defects of that law, and at this time, as Mr. Justice Baldwin certifies, labored strenuously for an act that would enable the country, in some degree, to regain what it had lost, and to protect itself in future. The "new epoch" pointed out above, and the reasoning deduced therefrom, have been forcibly illustrated by subsequent events.

The simplicity of the following citation will naturally produce its proper effect with all fair minds:—

"The wants of man may be classed under three heads: food, raiment, and defence. They are felt alike in the state of barbarism and of civilization. He must be defended against the ferocious beasts of prey in the one condition, and against the ambition, violence, and injustice, incident to the other. If he seeks to obtain a supply of these wants without giving an equivalent, he is a beggar or a robber; if by promising an equivalent which he can not give, he is fraudulent; and if by commerce, in which there is perfect freedom on his side, while he meets with nothing but restrictions on the other, he submits to an unjust and degrading inequality. What is true of individuals, is equally so of nations. The country, then, which relies upon foreign nations for either of these great essentials, is not, in fact, independent. Nor is it any consolation for our dependence upon other nations, that they are also dependent upon us, even were it true. Every nation should anxiously endeavor to establish its absolute independence, and consequently be able to feed, and clothe, and defend itself. If it rely upon a foreign supply, that may be cut off by the caprice of the nation yielding it, by war with it, or even by war with other nations. It can not be independent. But it is not true, that any other nations depend upon us in a degree anything like equal to that of our dependence upon them, for the great necessaries to which I have referred. Every other nation seeks to supply itself with them from its own resources; and so strong is the desire which they feel to accomplish this purpose, that they exclude the cheaper foreign article, for the dearer home production. Witness the English policy in regard to corn. So selfish, in this respect, is the conduct of other powers, that, in some instances, they even prohibit the produce of the industry of their *own* colonies, when it comes into competition with the produce of the parent-country. All other countries but our own, exclude by high duties, or absolute prohibitions, whatever they can respectively produce within themselves. The truth is, and it is in vain to disguise it, that we are a sort of dependent colonies of England—politically free, commercially slaves.

Gentlemen tell us of the advantages of a free exchange of the produce of the world. But they tell us of what has never existed, does not exist, and perhaps never will exist. They invoke us to give perfect freedom on our side, while, in the ports of every other nation, we are met with a code of odious restrictions, shutting out entirely a great part of our produce, and letting in only so much as they can not possibly do without. I will hereafter examine their favorite maxim, of leaving things to themselves, more particularly. At present, I will only say that I too am a friend to free trade, but it must be a free trade of perfect reciprocity. If the governing consideration were cheapness; if national independence were to weigh nothing; if honor nothing; why not subsidize foreign powers to defend us? Why not hire Swiss or Hessian mercenaries to protect us? Why not get our arms of all kinds, as we do in part, the blankets and clothing of our soldiers, from abroad?"

That a governor of Kentucky should have furnished such an example, as the following, was not less honorable to himself, than a proud boast of her adopted citizen, who was pleading so great a cause in the American Congress:—

"All society is an affair of mutual concession. If we expect to derive the benefits which are incident to it, we must sustain our reasonable share of burdens. The great interests which it is intended to guard and cherish, must be supported by their reciprocal action and reaction. The harmony of its parts is disturbed, the discipline which is necessary to its order is incomplete, when one of the three great and essential branches of its industry is abandoned and unprotected. If you want to find an example of order, of freedom from debt, of economy, of expenditure falling below rather than exceeding income, you will go to the well-regulated family of a farmer. You will go to the house of such a man as Isaac Shelby; you will not find him haunting taverns, engaged in broils, prosecuting angry lawsuits; you will behold every member of his family clad with the produce of their own hands, and usefully employed—the spinning-wheel and the loom in motion by daybreak. With what pleasure will his wife carry you into her neat dairy, lead you into her storehouse, and point you to the tablecloths, the sheets, the counterpanes, which lie on this shelf for one daughter, or on that for another, all prepared in advance by her provident care for the day of their respective marriages. If you want to see an opposite example, go to the house of a man who manufactures nothing at home, whose family resorts to the store for everything they consume. You will find him perhaps in the tavern, or at the shop at the cross-roads. He is engaged, with the rum-grog on the table, taking depositions to make out some

case of usury or fraud. Or perhaps he is furnishing to his lawyer the materials to prepare a long bill of injunction in some intricate case. The sheriff is hovering about his farm to serve some new writ. On court-days—he never misses attending them—you will find him eagerly collecting his witnesses to defend himself against the merchant and doctor's claims. Go to his house, and, after the short and giddy period that his wife and daughters have flirted about the country in their calico and muslin frocks, what a scene of discomfort and distress is presented to you there! What the individual family of Isaac Shelby is, I wish to see the nation in the aggregate become. But I fear we shall shortly have to contemplate its resemblance in the opposite picture. If statesmen would carefully observe the conduct of private individuals in the management of their own affairs, they would have much surer guides in promoting the interests of the state, than the visionary speculations of theoretical writers."

The *projet* of the following remarks, is one that claims profound consideration by American statesmen and American citizens:—

"Let us proclaim to the people of the United States the incontestable truth, that our foreign trade must be circumscribed by the altered state of the world; and, leaving it in the possession of all the gains which it can now possibly make, let us present motives to the capital and labor of our country, to employ themselves in fabrication at home. There is no danger that, by a withdrawal of that portion which is unprofitably employed on other objects, and an application of it to fabrication, our agriculture would be too much cramped. The produce of it will always come up to the foreign demand. Such are the superior allurements belonging to the cultivation of the soil to all other branches of industry, that it will always be preferred when it can profitably be followed. The foreign demand will, in any conceivable state of things, limit the amount of the exportable produce of agriculture. The amount of our exportations will form the measure of our importations, and, whatever these may be, they will constitute the basis of the revenue derivable from customs.

"The manufacturing system is favorable to the maintenance of peace. Foreign commerce is the great source of foreign wars. The eagerness with which we contend for every branch of it, the temptations which it offers, operating alike upon us and our foreign competitors, produce constant collisions. No country on earth, by the extent of its superfices, the richness of its soil, the variety of its climate, contains within its own limits more abundant facilities for supplying all our rational wants than ours does. It is not necessary or desirable, however, to cut off all intercourse with foreign powers. But, after securing a supply, within ourselves, of all the great essentials of life, there will be ample scope still left

for preserving such an intercourse. If we had no intercourse with foreign states, if we adopted the policy of China, we should have no external wars. And in proportion as we diminish our dependence upon them, shall we lessen the danger of the recurrence of war. Our late war would not have existed if the counsels of the manufacturers in England had been listened to. They finally did prevail, in their steady and persevering effort to produce a repeal of the orders in council; but it was too late to prevent the war. Those who attribute to the manufacturing system the burdens and misfortunes of that country, commit a great error. These were probably a joint result of the operation of the whole of her system, and the larger share of it was to be ascribed to her foreign commerce, and to the ambition of her rulers, than to any other cause. The war of our revolution, in which that ambition displayed its monstrous arrogance and pretensions, laid the broad foundation of that enormous debt under which she now groans."

The most suicidal principle of free trade, "*laissez faire*," let things alone, or let foreign commerce take care of itself, is well treated by Mr. Clay, as follows:—

"Gentlemen say, 'We agree with you; you are right in your first proposition; but, 'let things alone,' and they will come right in the end.' Now, I agree with them, that things would ultimately get right; but not until after a long period of disorder and distress, terminating in the impoverishment, and perhaps ruin, of the country. Dissolve government, reduce it to its primitive elements, and, without any general effort to reconstruct it, there would arise, out of the anarchy which would ensue, partial combinations for the purpose of individual protection, which would finally lead to a social form, competent to the conservation of peace within, and the repulsion of force from without. Yet no one would say, in such a state of anarchy, 'let things alone'! If gentlemen, by their favorite maxim, mean only that, within the bosom of the state, things are to be left alone, and each individual, and each branch of industry, allowed to pursue their respective interests, without giving a preference to either, I subscribe to it. But if they give it a more comprehensive import; if they require that things be left alone, in respect not only to interior action, but to exterior action also; not only as regards the operation of our own government upon the mass of the interests of the state, but as it relates to th operation of foreign governments upon that mass, I dissent from it

"This maxim, in this enlarged sense, is indeed everywhere proclaimed, but nowhere practised. It is truth in the books of European political economists. It is error in the practical code of every European state. It is not applied where it is most applicable; it is attempted to be introduced here, where it is least applicable; and even here its friends propose to limit it to the single

branch of manufacturing industry, while every other interest is encouraged and protected according to the policy of Europe."

Again: "If it [free trade] be not everywhere observed, there will be, between the nation that does not, and the nation that does, conform to it, an inequality alike condemned by honor and by interest. If there be no reciprocity—if, on the one side, there is perfect freedom of trade, and on the other a code of odious restrictions, will gentlemen still contend that we are to submit to such an unprofitable and degrading intercourse? Will they require that we shall act upon the social system, while every other power acts upon the selfish? Will they demand of us to throw widely open our ports to every nation, while all other nations entirely or partly exclude theirs against our productions? It is, indeed, possible, that some pecuniary advantage might be enjoyed by our country in prosecuting the remnant of the trade which the contracted policy of other powers leaves to us. But what security is there for our continuing to enjoy even that? And is national honor, is national independence, to count as nothing? I will not enter into a detail of the restrictions with which we are everywhere presented in foreign countries. I will content myself with asserting that they take nothing from us which they can produce themselves, upon even worse terms than we could supply them. Take, again, as an example, the English corn-laws. America presents the image of a fine, generous-hearted young fellow, who had just come to the possession of a rich estate—an estate, which, however, requires careful management. He makes nothing—he buys everything. He is surrounded by a parcel of Jews, each holding out his hand with a packet of buttons or pins, or some other commodity, for sale. If he asks those Jews to buy anything which his estate produces, they tell him, 'No—it is not for our interest—it is not for yours.'—'Take this new book,' says one of them, 'on political economy, and you will there perceive it is for your interest to buy from us, and to *let things alone* in your own country.' "

Here is the misfortune—the trick, as it might, with more propriety and truth, be called: Great Britain is the Jew, that has furnished other nations with books on political economy, to suit herself—not such as she *follows*, but such as she wishes *them* to follow; and they are quoted in argument by American free-trade statesmen, who are, by this means, *Jewed*.

After the most strenuous efforts for the passage of the tariff bill of 1820, Mr. Clay concluded his remarks in committee as follows:—

"Mr. Chairman, I frankly own that I feel great solicitude for the success of this bill. The entire independence of my country of all foreign states, as it respects a supply of our essential wants, has ever been with me a favorite object. The war of our revolu-

tion effected our political emancipation. The last war contributed greatly toward accomplishing our commercial freedom. But our complete independence will only be consummated after the policy of this bill shall be recognised and adopted. We have, indeed, great difficulties to contend with—old habits, colonial usages, the obduracy of the colonial spirit, the enormous profits of a foreign trade, prosecuted under favorable circumstances, which no longer continue. I will not despair. The cause, I verily believe, is the cause of the country. It may be postponed; it may be frustrated for the moment; but it must finally prevail. Let us endeavor to acquire for the present Congress, the merit of having laid this solid foundation of the national prosperity."

Notwithstanding the facts developed on this occasion, calling for the passage of this bill—notwithstanding the vigilance, solicitude, and fidelity of this sentinel on the watchtower of the land—notwithstanding these labors, these arguments, these entreaties—the bill, as before remarked, was doomed to defeat in the senate, and the country went on another four years to fill up the measure of its distress—to consummate the cycle of seven years of the greatest commercial embarrassment it had endured since the adoption of the federal constitution, as stated by Mr. Clay in 1832. If Mr. Clay, after having discharged his duties in the house, by aiding to pass the bill of 1820, by a vote of 90 to 69, could have had his relations transferred to the senate for this occasion, it would doubtless have been carried there, and the country would have been benefited some hundreds of millions. For the loss to the country, in the loss of such a bill, is not to be estimated by the positive disadvantages alone, but by the additional consideration of what would have been gained by it; and it can not be doubted, that the country would have been some hundreds of millions richer, as is demonstrated by statistical statements in another chapter.

In 1824 the country was ripe for ruin or rescue. It was impossible, that the evils of the past should be longer endured. The tariff of 1816 had utterly failed to protect the great interests of the country. Mr. Clay foresaw, and foretold it. He labored at the time, in an agony of concern, to have it made adequate. Not less earnestly, as just seen, did he strive, at the late day of 1820, to rectify these evils, and to throw the shield of protection over his suffering country. Onward rolled time, and onward the car of commercial desolation. In 1824 most men had waked up, necessarily to the distress, and apparently to some sense of the perils,

of the republic, whose very vitals were being consumed by the vulture-maw of foreign policies and foreign factors.

Mr. Clay had long looked upon these impending and thick-coming calamities with the most anxious solicitude, and labored to avert them. It is only in this view of previous events, and previous history, that one can fully appreciate the manner and sentiments of the exordium to his speech in committee of the house of representatives, of March 30th and 31st, 1824, when the tariff of that year was under consideration :—

"I am deeply sensible, Mr. Chairman, of the high responsibility of my present situation. But that responsibility inspires me with no other apprehension than that I shall be unable to fulfil my duty—with no other solicitude than that I may, at least, in some small degree, contribute to recall my country from the pursuit of a fatal policy, which appears to me inevitably to lead to its impoverishment and ruin. I do feel most awfully this responsibility. And, if it were allowable for us, at the present day, to imitate ancient examples, I would invoke the aid of the Most High. I would anxiously and fervently implore his divine assistance, that he would be graciously pleased to shower on my country his richest blessings, and that he would sustain, on this interesting occasion, the humble individual who stands before him, and lend him the power, moral and physical, to perform the solemn duties which now belong to his public station."

Four years of additional observation, four additional years of deep and profound sympathy with a suffering country, and four more years of thought and study on this great theme, since his labors in behalf of the tariff bill of 1820, had prepared Mr. Clay for one of the greatest and happiest efforts of his life, in his speech on the tariff bill of 1824. One is not so much surprised, in view of these facts, that he should, on this occasion, have left all his former efforts in the same cause out of sight—that he should seem to be doing the *ne plus ultra* of what he or any man was ever capable. But one is surprised to find the same man, on the same subject, eight years afterward (1832), in the senate of the United States, apparently going as much beyond what he did in 1824, as in 1824 he left in the shade his own earlier exertions. But in 1832, the great question had put on new aspects, had involved new and momentous matters, roused to action a new set of feelings, and stood forth before the world in the forms of nullification and civil war! Patriotism in 1832 had two things to look after—the preservation of the protective policy, and the salvation

of the country from domestic strife and bloodshed. A comparison, therefore, of these two mighty efforts of 1824 and 1832, properly to appreciate them, should be made in view of the different states of public affairs at these two points of time. On both occasions the theme was exhausted, as to all the materials of argument then visible and tangible; and it is remarkable, that no new idea on the subject, involving a principle, has at any time since, by anybody, been advanced. New facts, indeed, have transpired, illustrating and establishing those principles, and the field of argument, by reason of such facts, has been widely extended. By the aid of new facts, the subject can now be made more clear, and Mr. Clay's position has been thoroughly and impregnably fortified by time and events. That he should have been able so completely to survey the field for the time being, is a fit occasion, not less of admiration for his talents as a man and his abilities as a statesman, than of gratitude for his services and fidelity as an American patriot.

As nothing like justice to these gigantic efforts can be done, without copying the whole of them, and inasmuch as they have long been before the public in a variety of forms, it is only proposed to make a brief review of them here, and a few extracts.

First, the speech, or speeches, of 1824. The following extract exhibits at the same time the most succinct and lucid statement of the difference of opinion on this subject, and an amiable example of charity toward opponents:—

"Two classes of politicians divide the people of the United States. According to the system of one, the produce of foreign industry should be subjected to no other impost than such as may be necessary to provide a public revenue; and the produce of American industry should be left to sustain itself, if it can, with no other than that incidental protection, in its competition, at home as well as abroad, with rival foreign articles. According to the system of the other class, while they agree that the imposts should be mainly, and may under any modification be safely, relied on as a fit and convenient source of public revenue, they would so adjust and arrange the duties on foreign fabrics as to afford a gradual but adequate protection to American industry, and lessen our dependence on foreign nations by securing a certain and ultimately a cheaper and better supply of our own wants from our own abundant resources. Both classes are equally sincere in their respective opinions, equally honest, equally patriotic, and desirous of advancing the prosperity of the country. In the discussion and consideration of these opposite opinions, for the purpose of ascer-

taining which has the support of truth and reason, we should, therefore, exercise every indulgence, and the greatest spirit of mutual moderation and forbearance. And, in our deliberations on this great question, we should look fearlessly and truly at the actual condition of the country, retrace the causes which have brought us into it, and snatch, if possible, a view of the future. We should, above all, consult experience—the experience of other nations, as well as our own—as our truest and most unerring guide."

Then follows a glowing picture of the distress of the country; next, an inquiry into the cause, which need not here be told; the changed aspects of the world, from a state of war to general peace, as they affect the interests and policies of nations, are considered; the necessity of providing a home market for agricultural produce, grows out of this view; the more rapid increase of population in the United States, than in European countries, and the consequent multiplication of producing power, come into the scale, and demand employment, which other countries will not give to it; foreign consumption of the products of American labor and the American soil, instead of increasing, and keeping pace with the ratio of increase of producing power, had fallen off, with the exception of cotton; it was therefore necessary to create a home market; the foreign demand for American produce, in times of peace, must continue to decrease, in relation to the ratio of the increase of population, here and elsewhere; such had been the fact; and liberal quotations are made by Mr. Clay from public and other documents, to establish these positions.

"We must then [said Mr. Clay] change somewhat our course. We must give a new direction to some portion of our industry. We must speedily adopt a genuine American policy. Still cherishing the foreign market, let us create also a home market, to give further scope to the consumption of the produce of American industry. Let us counteract the policy of foreigners, and withdraw the support which we now give to their industry, and stimulate that of our own country. It should be a prominent object with wise legislators, to multiply the vocations and extend the business of society, as far as it can be done, by the protection of our interests at home, against the injurious effects of foreign legislation. Suppose we were a nation of fishermen, or of skippers, to the exclusion of every other occupation, and the legislature had the power to introduce the pursuits of agriculture and manufactures, would not our happiness be promoted by an exertion of its authority? All the existing employments of society—the learned professions—commerce—agriculture—are now overflowing. We stand in each other's way. Hence the want of employment. Hence the eager

pursuit after public stations, which I have before glanced at. I have been again and again shocked, during this session, by instances of solicitation for places, before the vacancies existed. The pulse of incumbents, who happen to be taken ill, is not marked with more anxiety by the attending physicians, than by those who desire to succeed them, though with very opposite feelings. Our old friend, the faithful sentinel, who has stood so long at our door, and the gallantry of whose patriotism deserves to be noticed, because it was displayed when that virtue was most rare and most wanted, on a memorable occasion in this unfortunate city, became indisposed some weeks ago. The first intelligence which I had of his dangerous illness, was by an application for his unvacated place! I hastened to assure myself of the extent of his danger, and was happy to find that the eagerness of succession outstripped the progress of disease. By creating a new and extensive business, then, we should not only give employment to those who want it, and augment the sum of national wealth, by all that this new business would create, but we should meliorate the condition of those who are now engaged in existing employments. In Europe, particularly in Great Britain, their large standing armies, large navies, large even on their peace arrangement, their established church, afford to their population employments, which, in that respect, the happier constitution of our government does not tolerate but in a very limited degree. The peace establishments of our army and our navy, are extremely small, and I hope ever will be. We have no established church, and I trust never shall have. In proportion as the enterprise of our citizens in public employments is circumscribed, should we excite and invigorate it in private pursuits.

"The creation of a home market is not only necessary to procure for our agriculture a just reward of its labors, but it is indispensable to obtain a supply of our necessary wants. If we can not sell, we can not buy. That portion of our population (and we have seen that it is not less than four fifths) which makes comparatively nothing that foreigners will buy, has nothing to make purchases with from foreigners. It is in vain that we are told of the amount of our exports supplied by the planting interest. They may enable the planting interest to supply all its wants; but they bring no ability to the interests not planting; unless, which can not be pretended, the planting interest was an adequate vent for the surplus produce of the labor of all other interests. It is in vain to tantalize us with the greater cheapness of foreign fabrics. There must be an ability to purchase, if an article be obtained, whatever may be the price, high or low, at which it is sold. And a cheap article is as much beyond the grasp of him who has no means to buy, as a high one. Even if it were true that the American manufacturer would supply consumption at dearer rates, it is better to have his fabrics than the unattainable foreign fabrics, because it is

better to be ill-supplied than not supplied at all. A coarse coat, which will communicate warmth and cover nakedness, is better than no coat. The superiority of the home market results, first from its steadiness and comparative certainty at all times; secondly, from the creation of reciprocal interest; thirdly, from its greater security; and lastly, from an ultimate and not distant augmentation of consumption (and consequently of comfort), from increased quantity and reduced prices. But this home market, highly desirable as it is, can only be created and cherished by the PROTECTION of our own legislation against the inevitable prostration of our industry, which must ensue from the action of FOREIGN policy and legislation. The effect and the value of this domestic care of our own interests will be obvious from a few facts and considerations. Let us suppose, that half a million of persons are now employed abroad in fabricating, for our consumption, those articles, of which, by the operation of this bill, a supply is intended to be provided within ourselves; that half a million of persons are, in effect, subsisted by us; but their actual means of subsistence are drawn from foreign agriculture. If we could transport them to this country, and incorporate them in the mass of our own population, there would instantly arise a demand for an amount of provisions equal to that which would be requisite for their subsistence throughout the whole year. That demand, in the article of flour alone, would not be less than the quantity of about nine hundred thousand barrels, beside a proportionate quantity of beef and pork, and other articles of subsistence. But nine hundred thousand barrels of flour, exceeds the entire quantity exported last year, by nearly one hundred and fifty thousand barrels. What activity would not this give, what cheerfulness would it not communicate. to our now dispirited farming interest! But if, instead of these five hundred thousand artisans emigrating from abroad, we give by this bill employment to an equal number of our own citizens, now engaged in unprofitable agriculture, or idle, from the want of business, the beneficial effect upon the productions of our farming labor would be nearly doubled. The quantity would be diminished by a subtraction of the produce from the labor of all those who should be diverted from its pursuits to manufacturing industry, and the value of the residue would be enhanced, both by that diminution and the creation of the home market, to the extent supposed. And the honorable gentleman from Virginia may repress any apprehensions which he entertains, that the plough will be abandoned, and our fields remain unsown. For, under all the modifications of social industry, if you will secure to it a just reward, the greater attractions of agriculture will give to it that proud superiority which it has always maintained. If we suppose no actual abandonment of farming, but, what is most likely, a gradual and imperceptible employment of population in the business of manufactu-

ring, instead of being compelled to resort to agriculture, the salutary effects would be nearly the same. Is any part of our common country likely to be injured by a transfer of the theatre of fabrication, for our own consumption, from Europe to America? All that those parts, if any there be, which will not, and can not, engage in manufactures, should require, is, that their consumption should be well supplied; and if the objects of that consumption are produced in other parts of the Union, that can manufacture, far from having on that account any just cause of complaint, their patriotism will and ought to inculcate a cheerful acquiescence in what essentially contributes, and is indispensably *necessary*, to the prosperity of the common family."

No one can fail to see, that, in the foregoing extract, Mr. Clay has laid out a comprehensive system of domestic political economy.

One of the greatest errors or oversights which American statesmen, averse to the protective policy, have betrayed in political economy, is perhaps shutting their eyes to the importance of artificial power in its positive influence in promoting a nation's wealth, and in its relative influence in enabling the United States to keep pace with rival nations, especially with Great Britain. Mr. Clay had occasion to notice, as long ago as 1824, that some British authorities estimated the machine power of Great Britain as equal to two hundred millions of men. The number of operatives to apply this machinery has never yet amounted to one million. Here, then, is a nation, with a population of some twenty-five millions, with a producing power of two hundred millions. Its capabilities of producing wealth by artificial means, is so great, that its natural power is scarcely worthy of being brought into the account. To this cause chiefly is attributed her prowess in her struggles against the colossal power of Napoleon, and her ability at that period to afford such constant and essential aid to her continental allies. One man at home did the work of two hundred, less or more. With or without allies, she was able to contend against the power of France, till the victory of Waterloo gave her repose, if indeed she needed it.

Setting aside, therefore, the considerations arising from the necessities of the protective system, as a part of political economy, national pride, wealth, and greatness, are concerned in concerting and securing an equally rapid growth in power, for the great political ends of the United States in relation to rival nations. It is too late to question the advantages of art, and its potency in overcom-

ing the obstacles of nature, in all the pursuits of individuals and of states. Science, which makes one man as powerful as two hundred, or a thousand, left to their natural powers, will and must prevail against numbers. That nation which cultivates the useful, mechanic, and manufacturing arts, all which have their foundation in science, and which excels in them, other things being equal, will excel in strength, and maintain a superiority. Great Britain at this moment is probably ten to one stronger than the United States, by reason of these advantages. It is obvious, that, with a constant liability to war with that power, sound national policy would dictate the encouragement of those arts, even at expense and sacrifice, which so rapidly augment national strength. How much more, when all the great interests of the commonwealth are shielded and promoted by the same means? A nation, whose arts, in the present state of the world, are not adequate to supply its own necessities, is poor, weak, and vulnerable. It will be despised, and may be humbled.

The following statistical argument, exhibited by Mr. Clay, in his speech on the protective policy in 1824, is too instructive not to be worthy of every American citizen's attention :—

"If we look at the commerce of England, we shall perceive that its prosperous condition no less denotes the immensity of her riches. The average of three years' exports, ending in 1789, was between thirteen and fourteen millions. The average for the same term, ending in 1822, was forty millions sterling. The average of the imports for three years, ending in 1789, was seventeen millions. The average for the same term, ending in 1822, was thirty-six millions, showing a favorable balance of four millions. Thus, in a period not longer than that which has elapsed since the establishment of our constitution, have the exports of that kingdom been tripled; and this has mainly been the effect of the power of machinery. The total amount of the commerce of Great Britain is greater since the peace, by one fourth, than it was during the war. The average of her tonnage, during the most flourishing period of the war, was two millions four hundred thousand tons. Its average, during the three years, 1819, 1820, and 1821, was two millions six hundred thousand, exhibiting an increase of two hundred thousand tons. If we glance at some of the more prominent articles of her manufactures, we shall be assisted in comprehending the true nature of the sources of her riches. The amount of cotton fabrics exported, in the most prosperous year of the war, was eighteen millions sterling. In the year 1820, it was sixteen millions six hundred thousand; in 1821, twenty millions five hun-

dred thousand; in 1822, twenty-one millions six hundred and thirty-nine thousand pounds sterling; presenting the astonishing increase in two years of upward of five millions. The total amount of imports in Great Britain, from all foreign parts, of the article of cotton wool, is five millions sterling. After supplying most abundantly the consumption of cotton fabrics within the country (and a people better fed and clad and housed, are not to be found under the sun than the British nation), by means of her industry, she gives to this cotton wool a new value, which enables her to sell to foreign nations to the amount of twenty-one millions six hundred and thirty-nine thousand pounds, making a clear profit of upward of sixteen millions five hundred thousand pounds sterling! In 1821, the value of the export of woollen manufactures was four millions three hundred thousand pounds. In 1822, it was five millions five hundred thousand pounds. The success of her restrictive policy is strikingly illustrated in the article of silk. In the manufacture of that article she labors under great disadvantages, besides that of not producing the raw material. She has subdued them all, and the increase of the manufacture has been most rapid. Although she is still unable to maintain, in foreign countries, a successful competition with the silks of France, of India, and of Italy, and therefore exports but little, she gives to the two millions of the raw materials which she imports, in various forms, a value of ten millions, which chiefly enter into British consumption. Let us suppose that she was dependent upon foreign nations for these ten millions, what an injurious effect would it not have upon her commercial relations with them? The average of the exports of British manufactures, during the peace, exceeds the average of the most productive years of the war. The amount of her wealth annually produced, is three hundred and fifty millions sterling, bearing a large proportion to all of her preëxisting wealth. The agricultural portion of it is said, by the gentleman from Virginia, to be greater than that created by any other branch of her industry. But that flows mainly from a policy similar to that proposed by this bill. One third only of her population is engaged in agriculture; the other two thirds furnishing a market for the produce of that third. Withdraw this market, and what becomes of her agriculture? The power and the wealth of Great Britain can not be more strikingly illustrated than by a comparison of her population and revenue with those of other countries and with our own. [Here Mr. Clay exhibited the following table, made out from authentic materials.]

	Population.	Taxes and public burdens.	Taxation per capita.
Russia in Europe	37,000,000	£18,000,000	0 9 9
France, including Corsica	30,700,000	37,000,000	1 4 0
Great Britain, exclusive of Ireland (the taxes computed according to the value of money on the European continent)	14,500,000	40,000,000	2 15 0

	Population.	Taxes and public burdens	Taxation per capita.
Great Britain and Ireland collectively...	21,500,000	£44,000,000	2 0 0
England alone.....	11,600,000	36,000,000	3 2 0
Spain.....	11,000,000	6,000,000	0 11 0
Ireland.....	7,000,000	4,000,000	0 11 0
The United States of America.....	10,000,000	4,500,000	0 9 0

From this exhibit we must remark, that the wealth of Great Britain, and consequently her power, is greater than that of any of the other nations with which it is compared. The amount of the contributions which she draws from the pockets of her subjects, is not referred to for imitation, but as indicative of their wealth. The burden of taxation is always relative to the ability of the subjects of it. A poor nation can pay but little. And the heavier taxes of British subjects, for example, in consequence of their greater wealth, may be more easily borne than the much lighter taxes of Spanish subjects, in consequence of their extreme poverty. The object of wise governments should be, by sound legislation, so to protect the industry of their own citizens against the policy of foreign powers, as to give to it the most expansive force in the production of wealth. Great Britain has ever acted, and still acts, on this policy. She has pushed her protection of British interest, further than any other nation has fostered its industry. The result is, greater wealth among her subjects, and consequently greater ability to pay their public burdens. If their taxation is estimated by their *natural* labor alone, nominally it is greater than the taxation of the subjects of any other power. But, if on a scale of their natural and artificial labor, compounded, it is less than the taxation of any other people. Estimating it on that scale, and assuming the aggregate of the natural and artificial labor of the united kingdom to be what I have already stated, two hundred and twenty-one millions five hundred thousand, the actual taxes paid by a British subject, are only about three and sevenpence sterling. Estimating our own taxes, on a similar scale—that is, supposing both descriptions of labor to be equal to that of twenty millions of able-bodied persons—the amount of tax paid by each soul in the United States is four shillings and sixpence sterling.

"The committee will observe, from this table, that the measure of the wealth of a nation is indicated by the measure of its protection of its industry; and that the measure of the poverty of a nation is marked by that of the degree in which it neglects and abandons the care of its own industry, leaving it exposed to the action of foreign powers. Great Britain protects most her industry, and the wealth of Great Britain is, consequently, the greatest. France is next in the degree of protection, and France is next in the order of wealth. Spain most neglects the duty of protecting the industry of her subjects, and Spain is one of the poorest of European nations. Unfortunate Ireland, disinherited or rendered in her industry subservient to England, is exactly in the same state

of poverty with Spain, measured by the rule of taxation. And the United States are still poorer than either!"

These are novel and startling views, even twenty years since they were first presented, and they are unanswerable. "And the United States are still poorer than either!"—poorer than poor Spain—poorer than oppressed Ireland! Such was the state of things, comparatively, in 1824. The tariff of that year resuscitated the wealth and power of the country, till it was run down again under General Jackson and Mr. Van Buren. The tariff of 1842 is again augmenting the riches and reviving the energies of the nation. In the most prosperous periods of the country—it has never been prosperous except by the effects of a protective policy—it has not even approximated to that point of wealth and power of which it is capable. The policy of the United States has not for the most part been one that tends to secure the independence of a nation, but the contrary. During the European wars, the country relied much on the calamities of other nations—a species of dependence, not only precarious in its results, but most undesirable. Even that was disturbed and broken up by the British orders in council and the French decrees, and the commerce of the country was almost annihilated. It was not independence. A general peace, which ought to be the best for any nation, was the worst of all for the United States, as the country had no protection in favor of its own products and its own labor. Its anomalous policy required war abroad, or war at home, for protection. The former could not be relied upon, and the latter was sure to run the government in debt, although it might afford business to the people, and the people in the end must pay the debts thus contracted. Mr. Clay was anxious to establish a system of policy that would make the nation independent in all circumstances, of war or peace—war at home, or war abroad—in a general or partial peace of the world.

The tariff bill of 1824 was violently opposed—denounced. Mr. Clay asked:—

"And what is this tariff? It seems to have been regarded as a sort of monster, huge and deformed—a wild beast, endowed with tremendous powers of destruction, about to be let loose among our people, if not to devour them, at least to consume their substance. But let us calm our passions, and deliberately survey this alarming, this terrific being. The sole object of the tariff is to tax the produce of foreign industry, with the view of promoting American industry. The tax is exclusively levelled at foreign industry. That is the avowed and the direct purpose of the tariff. If it sub-

jects any part of American industry to burdens, that is an effect not intended, but is altogether incidental, and perfectly voluntary.

"It has been treated as an imposition of burdens upon one part of the community by design, for the benefit of another—as if, in fact, money were taken from the pockets of one portion of the people, and put into the pockets of another. But is that a fair representation of it? No man pays the duty assessed on the foreign article by compulsion, but voluntarily; and this voluntary duty, if paid, goes into the common exchequer, for the common benefit of all. Consumption has four objects of choice. First, it may abstain from the use of the foreign article, and thus avoid the payment of the tax. Second, it may employ the rival American fabric. Third, it may engage in the business of manufacturing, which this bill is designed to foster. Fourth, or it may supply itself from the household manufactures."

In this speech of 1824—now more than twenty years since—Mr. Clay answered most triumphantly the objection of the cotton-planting interest, that the tariff would cut off the market for cotton, not only by showing a tacit compact between the cotton grower and the British manufacturer, which put the former in the power of the latter, but by the exhibition of the fact, as it then stood, that, out of the five millions sterling worth of the raw material bought by British manufacturers of American planters, after supplying the home consumption of the British empire with cotton fabrics, they sold to foreign parts to the amount of twenty-one millions and a half sterling, only one million and a half of which came to the United States. It was therefore absurd to suppose, that the British manufacturers would not continue their demand for the raw material, to the extent of their market for the manufactured products; and if the American tariff should operate to supply the American demand, to the amount of a million and a half sterling, the raw material would of course come from the American planter, and the country would save the increased value of many to one, in the fabrics, in which the American planter would have his share. In confirmation of the validity of this argument, such, since that time, have been the results of actual experience.

Mr. Clay shows very clearly, that navigation is second in the order of nature to agriculture and manufactures, and can only prosper as they do.

"It is next contended [says Mr. Clay] that the effect of the measure [the proposed tariff] will be to diminish our foreign commerce. The objection assumes, what I have endeavored to controvert, that there will be a reduction in the value of our exports.

Commerce is an exchange of commodities. Whatever will tend to augment the wealth of a nation must increase its capacity to make these exchanges. By new productions, or creating new values in the fabricated forms which shall be given to old objects of our industry, we shall give to commerce a fresh spring, a new aliment. The foreign commerce of the country, from causes, some of which I have endeavored to point out, has been extended as far as it can be. And I think there can be but little doubt that the balance of trade is, and for some time past has been, against us. I was surprised to hear the learned gentleman from Massachusetts [Mr. Webster] rejecting, as a detected and exploded fallacy, the idea of a balance of trade. I have not time nor inclination now to discuss that topic. But I will observe, that all nations act upon the supposition of the reality of its existence, and seek to avoid a trade, the balance of which is unfavorable, and to foster that which presents a favorable balance. However the account be made up, whatever may be the items of a trade, commodities, fishing industry, marine labor, the carrying trade, all of which I admit should be comprehended, there can be no doubt, I think, that the totality of the exchanges of all descriptions made by one nation with another, or against the totality of the exchanges of all other nations together, may be such as to present the state of an unfavorable balance with the one or with all. It is true that, in the long run, the measures of these exchanges, that is, the totality in value of what is given and of what is received, must be equal to each other. But great distress may be felt long before the counterpoise can be effected. In the meantime, there will be an export of the precious metals, to the deep injury of internal trade, an unfavorable state of exchange, an export of public securities, a resort to credit, debt, mortgages. Most of, if not all, these circumstances are believed now to be indicated by our country, in its foreign commercial relations. What have we received, for example, for the public stocks sent to England? Goods. But those stocks are our bond, which must be paid. Although the solidity of the credit of the English public securities is not surpassed by that of our own, strong as it justly is, when have we seen English stocks sold in our market, and regularly quoted in the prices current, as American stocks are in England? An unfavorable balance with one nation, *may* be made up by a favorable balance with other nations; but the fact of the existence of that unfavorable balance is strong presumptive evidence against the trade. Commerce will regulate itself! Yes, and the extravagance of a spendthrift heir, who squanders the rich patrimony which has descended to him, will regulate itself ultimately. But it will be a regulation which will exhibit him in the end safely confined within the walls of a jail. Commerce will regulate itself! But is it not the duty of wise governments to watch its course, and, beforehand, to provide

against even distant evils, by prudent legislation stimulating the industry of their own people, and checking the policy of foreign powers as it operates on them? The supply, then, of the subjects of foreign commerce, no less than the supply of consumption at home, requires of us to give a portion of our labor such a direction as will enable us to produce them. That is the object of the measure under consideration, and I can not doubt that, if adopted, it will accomplish its object."

Without pretending, but professedly declining, to discuss the subject of the *balance of trade*, which has been so much mystified by theorists, Mr. Clay, in the foregoing extract, has shed more light upon it, by a few common-sense and practical remarks—which, in fact, comprehend the whole question—more, perhaps, than all the tomes which political economists, so called, have imposed upon the world, too often to darken it. Mr. Clay nas clearly indicated what things are to be considered to determine the balance of trade. But to say, that there is no such thing, or that it is a "detected and exploded fallacy," is as false and as absurd, as to say, that two are equal to three, or more than three; or that there can be no such thing as a balance due from one party to another. A nation that habitually buys more than it sells, is as truly a loser as an individual person that does the same thing, and will for the same reason get in trouble, and sooner or later become insolvent; and the balance of trade between any one nation and all other nations, is precisely the same thing practically, as the showing of the books of a counting or a banking house, when all the proper items are considered.

It is a singular fact, that Mr. Clay was obliged to show, that the tariff of 1824 would not diminish the revenue. The same objection was made to the tariff of 1842 by the successful candidate for the presidency in 1844, and by others of the same school. Mr. Polk, in his speech at Madison, Tennessee, 1843, is represented to have said: "It [the tariff of 1842] will not produce annually HALF the amount of revenue which would have been produced by the lower rates of the compromise act." These "lower rates," that is, for the condition of things, June 30, 1842, as shown in House Document No. 420, 1st session, 28th Congress, did not exceed $12,800,000 annually; and HALF of this, Mr. Polk's maximum gauge for the revenue under the tariff of 1842, would be $6,400,000; whereas, it has produced about four times as much.

Another objection earnestly brought against the tariff bill of 1824, was, that it would be a failure. Nature, it was contended, had indicated the natural occupation of man in North America, to wit, a culture of the soil. As if nature had not given the same hints in other quarters of the world; as if the countless rivers, streams, and waterfalls of the United States, had given no advice on this point; as if the lakes, bays, and other inland water-channels, did not invite trade, which could have no occupation without the arts; as if this great continent, abounding in all the resources of nature, were to afford no other sustenance to the human family, but the milk of its own breasts; as if all its tenants, like the aborigines, served by woman in slavery, were destined to vegetate on corn, and decay for want of employment; as if the Anglo-Saxon race, transplanted to another and better country, would consent to fall behind the rest of the world, or allow their brethren of the original stock to outstrip them in art or enterprise; as if that people, known to all the world as Americans, and who alone are thought of in Europe under this name, would willingly be dependent; as if they would for ever sweat and toil in the field to supply the raw material for a more delicate and refined race, that would condescend to return them the wrought product, wrung in agony from their own slaves, at a cost five or ten times enhanced, and draw away all the earnings of the American laborer; as if America were not a world in itself, and able by its ingenuity and skill to supply every luxury, as well as every necessity; as if the lovers of freedom had turned their backs on the old world, to become greater slaves than they were before; as if the powers of invention were native only to the European continent, or the Eastern world; as if the moment a man crosses the sea from east to west, he is doomed to repress all the nobler faculties of his soul; as if genius and art could not flourish in the western hemisphere; as if, in short, America were fit only to be a dependent colony of Europe.

The question involved is neither less nor more than that of dependence or independence—whether America can do without Europe, or is to have connexions on fair terms, and equally honorable to both parties. A people without art are fit only to be slaves, and are easily made such. A nation that is only the producer of raw materials, can never claim equality with nations, which, by science and art, add many values to those materials, and send them back as a tax on those who consent to do such service. It is a state of dependence, and not of independence.

Another form of argument employed by the opponents of the tariff bill of 1824—one that is common at all times—was, that manufactures would rise of themselves, without the aid of protection.

To this, Mr. Clay replied :—

"If I am asked, why unprotected industry should not succeed in a struggle with protected industry, I answer, the FACT has ever been so, and that is sufficient; I reply, that UNIFORM EXPERIENCE evinces that it can not succeed in such an unequal contest, and that is sufficient. If we speculate on the causes of this universal truth, we may differ about them. Still the indisputable fact remains. And we should be as unwise in not availing ourselves of the guide which it furnishes, as a man would be, who should refuse to bask in the rays of the sun, because he could not agree with Judge Woodward as to the nature of the substance of that planet, to which we are indebted for heat and light. If I were to attempt to particularize the causes which prevent the success of the manufacturing arts, without protection, I should say that they are, first, the obduracy of fixed habits. No nation, no individual, will easily change an established course of business, even if it be unprofitable; and least of all is an agricultural people prone to innovation. With what reluctance do they not adopt improvements in the instruments of husbandry, or in modes of cultivation! If the farmer makes a good crop, and sells it badly, or makes a short crop, buoyed up by hope, he perseveres, and trusts that a favorable change of the market, or of the seasons, will enable him, in the succeeding year, to repair the misfortunes of the past. Secondly, the uncertainty, fluctuation, and unsteadiness of the home market, when liable to an unrestricted influx of fabrics from all foreign nations; and thirdly, the superior advance of skill, and amount of capital, which foreign nations have obtained, by the protection of their own industry. From the latter, or from other causes, the unprotected manufactures of a country are exposed to the danger of being crushed in their infancy, either by the design, or from the necessities of foreign manufacturers. Gentlemen are incredulous as to the attempts of foreign merchants and manufacturers to accomplish the destruction of ours. Why should they not make such attempts? If the Scottish manufacturer, by surcharging our market, in one year, with the article of cotton bagging, for example, should so reduce the price as to discourage and put down the home manufacture, he would secure to himself the monopoly of the supply. And now, having the exclusive possession of the market, perhaps for a long term of years, he might be more than indemnified for his first loss, in the subsequent rise in the price of the article. What have we not seen under our own eyes! The competition for the transportation of the mail, between this place

and Baltimore, became so excited, that to obtain it an individual offered, at great loss, to carry it a whole year for one dollar! His calculation no doubt was, that, by driving his competitor off the road, and securing to himself the carriage of the mail, he would be afterward able to repair his original loss by new contracts with the department. But the necessities of foreign manufacturers, without imputing to them any sinister design, may oblige them to throw into our markets the fabrics which have accumulated on their hands, in consequence of obstruction in the ordinary vents, or from over-calculation; and the forced sales, at losing prices, may prostrate our establishments. From this view of the subject, it follows, that, if we would place the industry of our country upon a solid and unshakable foundation, we must adopt the protecting policy, which has everywhere succeeded, and reject that which would abandon it, which has everywhere failed."

England commenced her war on American manufactures in 1699, and continued it to the war of the Revolution. Lord Chatham said, in parliament, "He would not have the Americans make a *hobnail*." Another noble lord added, "Nor a razor to shave their beards." Mr. Brougham, now Lord Brougham, said, in the house of commons, in 1816, "It was well worth while, by this glut [excessive exports to America], *to stifle in the cradle* those rising manufactories in the United States, which the war had forced into existence." Mr. Robertson, another member, speaking of British policy, confessed, that it "was nothing more nor less than for us [the English] to get a monopoly of *all markets* for our manufactures, and to prevent other nations, *one and all*, from engaging in them." The London Spectator, in 1843, says: "More general considerations tend to show, that the trade between the two countries most beneficial to both, must be what is commonly called a *colonial* trade—the new-settled country importing the manufactures of the old, in exchange for its own raw produce. In all economical relations, the United States *still stand* to England in the relation of *colony to mother-country*." Again: "Both England and the United States are suffering, because the *colonial* relation has been broken; because the surplus capital of England does not find its way to America, along with the stragglers of its surplus population; and because the raw produce of America, through the influence of restrictive duties, and for want of that capital, can not find its way to England."

This reasoning of British statesmen and British writers, is certainly plain enough to be understood and appreciated on this side

of the Atlantic, and sufficiently evinces the correctness and validity of Mr. Clay's argument on this point. Immediately after the war, as stated by Mr. Clay in another part of this speech, "the influx of the Scottish manufacture of cotton bagging, prostrated the American establishments. The consequence was, that the Scotch possessed a monopoly of the supply, and the price of it rose, and attained the year before last [1822] a price which amounted to more than an equivalent for ten years of protection of the American manufacture." This tempted the American manufacturers to resuscitate their establishments, which reduced the price, and they would have fallen again in the competition, but for the protection of the tariff of 1824. This case is an exact picture of all others.

The fallacy of what is called the *incidental* protection of a mere revenue tariff, was exposed by Mr. Clay at this time, and made obvious how it might be no protection at all, because inadequate.

As now, so also in 1824, it was urged, that Great Britain was relaxing her prohibitory and restrictive policy. But Mr. Clay showed, that, in every case of fact adduced in evidence, she relaxed in one point, only to gain a greater advantage in another—to extend and fortify her system; and it is the same now as then. It was also urged, that the continental powers were relaxing, which proved to be equally true as what was alleged of Great Britain. Russia, it seems, tried the relaxing policy for a short season, but soon got sick of it; and Mr. Clay quotes the following remarkable passages, put forth in 1822, by Count Nesselrode, Russian prime minister, as the result of their experience:—

"'To produce happy effects, the principles of commercial freedom must be generally adopted. The state which adopts, while others reject them, must condemn its own industry and commerce, to pay a ruinous tribute to those of other nations.

"'From a circulation exempt from restraint, and the facility afforded by reciprocal exchanges, almost all the governments at first resolved to seek the means of repairing the evil which Europe had been doomed to suffer: but experience, and more correct calculations, because they were made from certain data, and upon the results already known of the peace that had just taken place, forced them soon to adhere to the prohibitory system.

"'England preserved hers. Austria remained faithful to the rule she had laid down, to guard herself against the rivalship of foreign industry. France, with the same views, adopted the most rigorous measures of precaution. And Prussia published a new tariff in October last, which proves that she found it impossible not to follow the example of the rest of Europe.

" In proportion as the prohibitory system is extended and rendered perfect in other countries, that state which pursues the contrary system, makes, from day to day, sacrifices more extensive and more considerable. * * * It offers a continual encouragement to the manufactures of other countries, and its own manufactures perish in the struggle which they are, as yet, unable to maintain.

" It is with the most lively feelings of regret we acknowledge it is our own proper experience which enables us to trace this picture. The evils which it details have been realized in Russia and Poland, since the conclusion of the act of the seventh and nineteenth of December, 1818. *Agriculture without a market, industry without protection, languish and decline. Specie is exported, and the most solid commercial houses are shaken.* The public prosperity would soon feel the wound inflicted on private fortunes, if new regulations did not promptly change the actual state of affairs.

" ' Events have proved, that our *agriculture* and our *commerce*, as well as our *manufacturing industry*, are not only paralyzed, but *brought to the brink of ruin*.' "

The thousand-times-repeated charge of the tendencies of a manufacturing system to create an aristocracy, was dissolved by one slight touch of the wand of Mr. Clay, and driven back to the shades whence it so often emerges.

The following brilliant introduction by Mr. Clay, of a brilliant actor on the theatre of the world, studded by a preface of historical gems as a vestibule of access, is not less worthy of a place here, than those condensed and sage remarks on the protective policy, reported from the lips of the exiled hero :—

" The principle of the system under consideration, has the sanction of some of the best and wisest men, in all ages, in foreign countries as well as in our own—of the Edwardses, of Henry the Great, of Elizabeth, of the Colberts, abroad ; of our Franklin, Jefferson, Madison, Hamilton, at home. But it comes recommended to us by a higher authority than any of these, illustrious as they unquestionably are—by the master-spirit of the age—that extraordinary man, who has thrown the Alexanders and the Cæsars infinitely further behind him than they stood in advance of the most eminent of their predecessors—that singular man, who, whether he was seated on his imperial throne, deciding the fate of nations and allotting kingdoms to the members of his family, with the same composure, if not with the same affection, as that with which a Virginia father divides his plantations among his children, or on the miserable rock of St. Helena, to which he was condemned by the cruelty and the injustice of his unworthy victors, is equally an object

of the most intense admiration. He appears to have comprehended, with the rapidity of intuition, the true interests of a state, and to have been able, by the turn of a single expression, to develop the secret springs of the policy of cabinets. We find that Las Cases reports him to have said:—

"'He opposed the principles of economists, which he said were correct in theory, though erroneous in their application. The political constitution of different states, continued he, must render these principles defective; local circumstances continually call for deviations from their uniformity. Duties, he said, which were so severely condemned by political economists, should not, it is true, be an object to the treasury; they should be the guaranty and protection of a nation, and should correspond with the nature and the objects of its trade. Holland, which is destitute of productions and manufactures, and which has a trade only of transit and commission, should be free of all fetters and barriers. France, on the contrary, which is rich in every sort of production and manufactures, should incessantly guard against the importations of a rival, who might still continue superior to her, and also against the cupidity, egotism, and indifference, of mere brokers.

"'I have not fallen into the error of modern systematizers,' said the emperor, 'who imagine that all the wisdom of nations is centred in themselves. Experience is the true wisdom of nations. And what does all the reasoning of economists amount to? They incessantly extol the prosperity of England, and hold her up as our model; but the customhouse system is more burdensome and arbitrary in England than in any other country. They also condemn prohibitions; yet it was England set the example of prohibitions; and they are in fact necessary with regard to certain objects. Duties can not adequately supply the place of prohibitions; there will always be found means to defeat the object of the legislator. In France we are still very far behind on these delicate points, which are still unperceived or ill understood by the mass of society. Yet, what advancement have we not made; what correctness of ideas has been introduced by my gradual classification of agriculture, industry, and trade—objects so distinct in themselves, and which present so great and positive a graduation.

"'First: *Agriculture*—the soul, the first basis, of the empire.

"'Second: *Industry*—the comfort and happiness of the population.

"'Third: *Foreign trade*—the superabundance, the proper application, of the surplus of agriculture and industry.

"'Agriculture was continually improving during the whole course of the revolution. Foreigners thought it ruined in France. In 1814, however, the English were compelled to admit that we had little or nothing to learn from them.

"'Industry or manufactures, and internal trade, made immense

progress during my reign. The application of chymistry to the manufactures, caused them to advance with giant strides. I gave an impulse, the effect of which, extended throughout Europe.

" 'Foreign trade, which, in its results, is infinitely inferior to agriculture, was an object of subordinate importance in my mind. Foreign trade is made for agriculture and home industry, and not the two latter for the former. The interests of these three fundamental cases are diverging and frequently conflicting. I always promoted them in their natural gradation, but I could not and ought not to have ranked them all on an equality. Time will unfold what I have done, the national resources which I created, and the emancipation from the English which I brought about. We have now the secret of the commercial treaty of 1783. France still exclaims against its author; but the English demanded it on pain of resuming the war. They wished to do the same after the treaty of Amiens, but I was then all-powerful; I was a hundred cubits high. I replied, that if they were in possession of the heights of Montmartre, I would still refuse to sign the treaty. These words were echoed through Europe.

" 'The English will now impose some such treaty on France, at least, if popular clamor and the opposition of the mass of the nation, do not force them to draw back. This thraldom would be an additional disgrace in the eyes of that nation, which is now beginning to acquire a just perception of her own interests.

" 'When I came to the head of the government, the American ships, which were permitted to enter our ports on the score of their neutrality, brought us raw materials, and had the impudence to sail from France without freight, for the purpose of taking in cargoes of English goods in London. They, moreover, had the insolence to make their payments, when they had any to make, by giving bills on persons in London. Hence the vast profits reaped by the English manufacturers and brokers, entirely to our prejudice. I made a law that no American should import goods to any amount, without immediately exporting their exact equivalent. A loud outcry was raised against this: it was said that I had ruined trade. But what was the consequence? Notwithstanding the closing of my ports, and in spite of the English, who ruled the seas, the Americans returned and submitted to my regulations. What might I not have done under more favorable circumstances?

" 'Thus I naturalized in France the manufacture of cotton, which includes—

" 'First, *spun cotton*. We did not previouly spin it ourselves; the English supplied us with it, as a sort of favor.

" 'Secondly, *the web*. We did not yet make it; it came to us from abroad.

" 'Thirdly, *the printing*. This was the only part of the manufac-

ure that we performed ourselves. I wished to naturalize the first two branches; and I proposed to the council of state, that their importation should be prohibited. This excited great alarm. I sent for Oberkamp, and I conversed with him a long time. I learned from him, that this prohibition would doubtless produce a shock, but that, after a year or two of perseverance, it would prove a triumph, whence we should derive immense advantages. Then I issued my decree in spite of all; this was a true piece of statesmanship.

"'I at first confined myself merely to prohibiting the web; then I extended the prohibition to spun cotton; and we now possess, within ourselves, the three branches of the cotton manufacture, to the great benefit of our population, and the injury and regret of the English; which proves that, in civil government, as well as in war, decision of character is often indispensable to success.'

"I will trouble the committee [said Mr. Clay] with only one other quotation, which I shall make from Lowe; and from hearing which, the committee must share with me in the mortification which I felt on perusing it. That author says: 'It is now above forty years since the United States of America were definitely separated from us, and since, their situation has afforded a proof that the benefit of mercantile intercourse may be retained, in all its extent, without the care of governing, or the expense of defending, these once-regretted provinces.' Is there not too much truth in this observation? By adhering to the foreign policy, which I have been discussing, do we not remain essentially British, in everything but the form of our government? Are not our interests, our industry, our commerce, so modified as to swell British pride, and to increase British power?"

The above remark, cited by Mr. Clay from Lowe, a British authority, discloses a grave and momentous truth, that is indeed humiliating to an American citizen. So feeble was the protection of American industry previous to 1824, that the advantages which accrued to Great Britain from her trade with the United States, were regarded by British statesmen and economists as greater than if the colonies had never severed, but retained their connexion with the crown! The American revolution and its results were regretted by the British government and people. They are now no longer regretted. And why? Because they are saved the expense of government, and still have the market on terms as favorable as if they had the entire control! They could not legislate better for themselves, than the Americans have done! They have discovered it, they avow it, they boast of it! Such was the actual

state of things down to 1824—embracing nearly fifty years from the declaration of independence. From the peace of 1783, to the adoption of the constitution in 1789, it was much better for Great Britain to have the United States independent of her politically, as she was able, in the absence of a protective system under the confederated states, to make them entirely dependent upon her commercially. It was not her concern, that the United States thus consented to be ruined, and again enslaved. They were getting deeper and deeper in debt, and would soon have lost their political standing, if they had not adopted the new form of government under the constitution, to save themselves—the professed and main object of which was to establish a protective system, and rescue the country. But this was very imperfectly done, and still left to Great Britain and other foreign powers the greatest benefit. The European wars gave some chances to the United States, but no protection to home industry. And the pursuit of these chances brought them into a collision with the belligerents, and finally into a war with Great Britain, inducing with it a protracted period of suffering and sacrifice, ending with a national debt of one hundred and sixty-eight millions! The war of 1812 was itself a protection to home industry, but purchased with the expenses and hazards of the contest. Peace came, but no protection. The nation was still in the power of Great Britain and of other nations. The tariff of 1816 came late, and when it did come, was inadequate. The tariff bill of 1820 failed, in the midst of great national distress arising from the want of it. The nation was a victim of free trade. The tariff of 1824 brought relief and prosperity, which continued till the Jackson regime broke it all down again.

During the whole history of the country, therefore, down to 1842, with only one breathing spell for a few years subsequent to 1824, the commercial connexions of Great Britain with the United States, excepting the brief period of the war, have been more advantageous to her, and more ruinous to them, than if she had retained them as dependent colonies. Compare the facts stated on pages 169, 191, and 192, of this volume, with Lowe's statement as above. There never has been a time, since the establishment of independence, when the United States were not in debt to Great Britain, and the debt was never so great as at this moment. But this could never be under a fair and equal commercial system.

The tariff bill of 1824 became a law by a vote of 107 to 102 in the house, and 25 to 21 in the senate.

CHAPTER VII.

THE PROTECTIVE POLICY.

The Opening of a New Era.—Control of Moral Causes over the Destiny of Nations.—General Jackson's Jealousy of Mr. Clay.—The Effect of this Jealousy on the Protective Policy.—Nations Foot-Balls to Kings.—First Demonstration of an Attack on the Protective Policy.—Mr. Clay comes to the Rescue.—Proposes a Resolution in the Senate for the Reduction of Duties on Unprotected Articles.—Who responsible for the Tariff of 1828.—Parliamentary Advantage of Mr. Clay's Resolution.—Notice of his Speech upon it.—His Reply to Mr. Haynes, of South Carolina.—Two Great Cycles of National Poverty and Wealth.—One of the Greatest Efforts of Mr. Clay in defence of the Protective Policy.

NOTWITHSTANDING the truly astonishing results of the tariff of 1824, in restoring the prosperity of the country, replenishing the national treasury, and enabling the government rapidly to liquidate the public debt, diffusing everywhere private happiness, along with private thrift, hostility to the protective policy, seemed rather to augment than abate, and the astounding doctrine of nullification began to open its demonstrations on the public mind. Though President Jackson, by reason of a private feud, was by no means friendly to the great southern leader of nullification, his jealousy of the father of the American system was not less productive of a personal aversion in that quarter. He knew well by what means he had supplanted his hated rival, and what means were necessary to maintain his ascendency. Having succeeded, as developed in a former part of this work, in accumulating and concentrating public opprobrium, to a great extent, on the head of Mr. Clay, for a falsely-alleged attempt at bargain and corruption, in an official station, for other official honors, the glory which Mr. Clay was rapidly acquiring for the success of the protective policy, may, perhaps, without presumption, be supposed a sufficient motive to a mind that had done a former injustice, of such a flagrant character—and for the same reasons still existing in all their force, and even with greater energy—to endeavor to pluck these clustering plumes from the cap of his opponent. It is indeed not a very bright side

of the destiny of states and nations, to be obliged to observe that they are in such ways liable to be made the sport of the bad passions of prominent and influential individuals—that nations are footballs to kings, and that this class of persons is not confined to the denomination composed of the alphabetical elements—K—I—N—G—S; but may be found under the various names of tribunes of the people, protectors of commonwealths, first-consuls, and PRESIDENTS of republics. But the true philosophy of history, in its most important, and sometimes momentous, epochs, can never be exposed, independent of the consideration of MORAL CAUSES. These are often the most influential, and most potent. There may, and doubtless will be a difference of opinion, in the passing, though not probably in a future age, in a case like that now under consideration, and each one will be at liberty to have his own. But such a remarkable state of things, the remarkable manner in which it was treated, and the remarkable results which were forced out of it, can not escape the scrutiny and the judgment of mankind; and the rules of judgment will be those which are usually applied to men under given influences.

There are the FACTS: a nation rescued from a long career of adversity, and established in an unexampled course of prosperity, by a system of measures chiefly devised by one mind, and put in operation chiefly by the influence of the same individual. As it can not be concealed, he will of course have the credit of it; and where will the gratitude of the nation, so benefited, find scope to express itself, in honoring such a benefactor? Nothing is plainer: That policy must be BLASTED, or its author will be crowned with unfading laurels—and that too early for those who have long been, not unsuccessfully, engaged in supplanting him, and who are only half-way advanced, in their victorious career, to his complete subjection, and to their own uncontrolled supremacy in the state.

Whatever may have been the motives—every man will judge for himself—it is certain, that General Jackson had scarcely warmed the seat of chief magistrate of the republic, before strong and decided symptoms were manifested in his own will, and in the counsels by which he was surrounded, to break down that beneficent system of policy, for the establishment of which Mr. Clay had consecrated his life, and bestowed, without remission his untiring energies, in which he was successful, and which had now begun to shower, over the length and breadth of the land, its manifold blessings.

At the opening of the twenty-second Congress, December, 1831, the annual report of the secretary of the treasury clearly foreshadowed a coming storm—a new and great battle for and against the protective policy. The very success of the system was made the ground of its overthrow. It was no longer necessary for the public treasury. It had made the people prosperous and rich; it had paid the debts of the nation; and therefore, it was now proposed to dispense with it!

Alarmed at these unequivocal symptoms, advised by past events of the inexorable will from whose promptings they emanated, not ignorant of the daring and reckless purposes which were gradually being developed in the same quarter, and aware of the irresistible power which from that point swayed the popular mind, Mr. Clay took up his position in the senate of the United States, and burnished up his armor anew for the approaching contest—a contest which never ended till the establishment of the tariff of 1842—which, indeed, seems not to have ended even with that.

Anticipating the movements of the foe, and to gain all possible advantage by instituting preventive action, at an early period of the first session of the twenty-second Congress, Mr. Clay moved the following resolution:—

"*Resolved*, that the existing duties upon articles imported from foreign countries, and not coming into competition with similar articles made or produced within the United States, ought to be forthwith abolished, except the duties upon wines and silks, and that those ought to be reduced. And that the committee on finance be instructed to report a bill accordingly."

It should be recollected, that Mr. Clay, being secretary of state at the time, had no hand as a member of Congress, in the tariff of 1828, which has always been represented by the opponents of the protective policy, as a very obnoxious measure, and was called the *black* tariff. The most obnoxious features were introduced by the opponents of the bill, for the purpose of defeating it, in which Mr. Van Buren and Mr. Wright, who were both from New York, were especially influential. But they were disappointed, and the bill notwithstanding passed, so that the tariff of 1828 was in some particulars higher than that of 1824, and did not meet with the approbation of Mr. Clay.

As the public debt was rapidly disappearing, and about to be entirely paid off, the time had come when the tariff might be reduced, and still produce a revenue adequate to the support of

government. But the question was, whether its protective features should be invaded; or whether the duties should be removed from articles which required no protection? The object of Mr. Clay's resolution, as seen, was to preserve the protective policy; whereas his opponents desired to reduce that branch of the tariff also, and more especially. Inasmuch as protection was popular, the seasonable introduction of this resolution was occupying strong ground, and it was much more difficult for Mr. Clay's opponents, without hazard, to remove it out of the way, than it would have been to march directly to their object, if it had not been in their path. Mr. Clay, by this resolution, had gained a decided parliamentary advantage. It came up for consideration on the 11th of January, 1832, when it was expected that he would explain and advocate his own resolution, and the senate galleries and floor were crowded to hear a voice, which had been wont, but which for six years had ceased, to be heard in the halls of legislation. His engagements as secretary of state had occupied him four years; his preference of private life had kept him at Ashland two years more; but he was persuaded, by the state of the country, and the impending perils of the protective policy, though with reluctance, to return to the former field of his labors. His remarks on this occasion were opened as follows:—

"I have a few observations, Mr. President, and only a few, to submit to the senate, on the measure now before you, in doing which I have to ask all your indulgence. I am getting old: I feel but too sensibly and unaffectedly the effects of approaching age, and I have been for some years very little in the habit of addressing deliberative assemblies. I am told that I have been the cause —the most unwilling cause, if I have been—of exciting expectations, the evidence of which is around us. I regret it; for, however the subject on which I am to speak, in other hands, might be treated, to gratify or to reward the presence and attention now given, in mine, I have nothing but a plain, unvarnished, and unambitious exposition to make.

"It forms no part of my present purpose to enter into a consideration of the *established policy of protection*. Strong in the convictions and deeply seated in the affections of a large majority of the people of the United States, it stands self-vindicated in the general prosperity, in the rich fruits which it has scattered over the land, in the experience of all prosperous and powerful nations, present and past, and now in that of our own. Nor do I think it necessary to discuss that policy on this resolution. Other gentlemen may think differently, and may choose to argue and assail it.

If they do, I have no doubt that in all parts of the senate, members more competent than I am, will be ready to support and defend it. My object now is to limit myself to a presentation of certain views and principles connected with the present financial condition of the country."

Mr. Clay DID confine himself to the limits here prescribed, embracing in his view the history and happy effects of the protective policy, the unwelcome suggestions and proposals of the executive, through the secretary of the treasury, throwing out some hints on the internal improvement and public-land policy, noticing briefly the frauds on the revenue committed by foreign factors, proposing a home valuation, and after explaining and advocating his resolution, concluded an unimpassioned matter-of-fact speech, with the following more sentimental words:—

"I came here, sir, in a spirit of warm attachment to all parts of our beloved country, with a lively solicitude to restore and preserve its harmony, and with a firm determination to pour oil and balm into existing wounds, rather than further to lacerate them. For the truth and sincerity of these declarations, I appeal to Him whom none can deceive. I expected to be met by corresponding dispositions, and hoped that our deliberations, guided by fraternal sentiments and feelings, would terminate in diffusing contentment and satisfaction throughout the land. And that such may be the spirit presiding over them, and such their issue, I yet most fervently hope."

But this "firm determination to pour oil and balm into existing wounds," was of no use. The war on the protective policy was resolved on, not less by the president and his counsellors—if counsellors he had—than by the nullifiers of the south; and the resolution offered by Mr. Clay, was made the occasion of the vigorous, not to say, violent contest, which occupied so much of this session, and which resulted in the passage of the tariff law of 1832, on the principle of Mr. Clay's resolution.

Mr. Clay, who, apparently from the quietness of his manner in the speech above noticed, seemed not to have anticipated very extended or very earnest debates, was at last roused, in replying chiefly to General Hayne, of South Carolina, to one of the greatest, most brilliant, and most effective efforts of his life, continued for three days, the 2d, 3d, and 6th of February, 1832.

At this point of the history, and at this juncture of the affairs, of the United States, Mr. Clay was well entitled to suppose, that he had fairly fought and won the battle for the protective policy,

and that it would never again be disturbed. In ordinary circumstances, and but for extraordinary causes, this conclusion would have been realized. How could a nation be blinded to such facts? It had been in distress; it was relieved; and everybody knew the cause. Nobody can understand the great political game in hand at that time, without an eye on the MORAL CAUSES which influenced and controlled results—without looking steadily at the facts, first, that General Jackson had gained his ascendency, and obtained power, by injustice to Mr. Clay; and next, that, to retain this position, it was necessary to obscure Mr. Clay's steadily-growing fame, as it beamed out from the healthful and salutary operation of the American system, by destroying the system itself! That being gone, with all its blessings, there would be nobody to thank for it, because nobody could see a thing that was not. Or, if it should only be partially destroyed—marred, fettered, embarrassed, so as to fail of its legitimate and best results, questions might then be raised as to its merits, and a controversy might be maintained that should put the public mind in doubt, which party was right. So, in fact, was this system impaired by the onsets of power made at that time, and sustained for many years, that it was thrown more and more into the dark, till at last it was well nigh strangled. It obtained a new lease of life and breath—no one, perhaps, can tell how long—in 1842.

But the man who, by a life of devotion to the cause, had so steadily fought, and so gloriously won, this great battle, in the social and political conflicts of the country, was, by the events already recognised, doomed to fight it all over again, and to bequeath the rights of conquest and the rewards of triumph, to those who should come after him, if luckily victory should ever again be acquired. To behold him taking up his position, in the senate of the United States, in 1832, with this prospect before him, and under these recollections of the past, and opening by such words as these: "I feel but too sensibly and unaffectedly the effects of approaching age"—after having been forced from his retreat at Ashland, by the call of his friends and his country, for this express purpose—is a kind of spectacle that rarely occurs in the progress of human society.

There he stands, and he begins on this wise:—

"I stand here as the humble but zealous advocate, not of the interests of one state, or seven states only, but of the whole Union. And never before have I felt, more intensely, the overpowering

weight of that share of responsibility which belongs to me in these deliberations. Never before have I had more occasion than I now have, to lament my want of those intellectual powers, the possession of which might enable me to unfold to this senate, and to illustrate to this people, great truths, intimately connected with the lasting welfare of my country. I should, indeed, sink overwhelmed and subdued beneath the appalling magnitude of the task which lies before me, if I did not feel myself sustained and fortified by a thorough consciousness of the justness of the cause which I have espoused, and by a persuasion, I hope not presumptuous, that it has the approbation of that Providence who has so often smiled upon these United States.

"Eight years ago, it was my painful duty to present to the other house of Congress an unexaggerated picture of the general distress pervading the whole land. We must all yet remember some of its frightful features. We all know that the people were then oppressed, and borne down by an enormous load of debt; that the value of property was at the lowest point of depression; that ruinous sales and sacrifices were everywhere made of real estate; that stop laws, and relief laws, and paper money, were adopted, to save the people from impending destruction; that a deficit in the public revenue existed, which compelled government to seize upon, and divert from its legitimate object, the appropriations to the sinking fund, to redeem the national debt; and that our commerce and navigation were threatened with a complete paralysis. *In short, sir, if I were to select any term of seven years since the adoption of the present constitution which exhibited a scene of the most wide-spread dismay and desolation, it would be exactly that term of seven years which immediately* PRECEDED *the establishment of the tariff of* 1824.

"I have now to perform the more pleasing task of exhibiting an imperfect sketch of the existing state of the unparalleled prosperity of the country. On a general survey, we behold cultivation extended, the arts flourishing, the face of the country improved, our people fully and profitably employed, and the public countenance exhibiting tranquillity, contentment, and happiness. And if we descend into particulars, we have the agreeable contemplation of a people out of debt; land rising slowly in value, but in a secure and salutary degree; a ready though not extravagant market for all the surplus productions of our industry; innumerable flocks and herds browsing and gamboling on ten thousand hills and plains, covered with rich and verdant grasses; our cities expanded, and whole villages springing up, as it were, by enchantment; our exports and imports increased and increasing; our tonnage, foreign and coastwise, swelling and fully occupied; the rivers of our interior animated by the perpetual thunder and lightning of countless steamboats; the currency sound and abundant; the public

debt of two wars nearly redeemed; and, to crown all, the public treasury overflowing, embarrassing Congress, not to find subjects of taxation, but to select the objects which shall be liberated from the impost. *If the term of seven years were to be selected, of the greatest prosperity which this people have enjoyed since the establishment of their present constitution, it would be exactly that period of seven years which immediately* FOLLOWED *the passage of the tariff of* 1824.

"This transformation of the condition of the country from gloom and distress to brightness and prosperity, has been mainly the work of American legislation, fostering American industry, instead of allowing it to be controlled by foreign legislation, cherishing foreign industry. The foes of the American system, in 1824, with great boldness and confidence, predicted, first, the ruin of the public revenue, and the creation of a necessity to resort to direct taxation—the gentleman from South Carolina [General Hayne], I believe, thought that the tariff of 1824 would operate a reduction of revenue to the large amount of eight millions of dollars; secondly, the destruction of our navigation; thirdly, the desolation of commercial cities; and, fourthly, the augmentation of the price of objects of consumption, and further decline in that of the articles of our exports. Every prediction which they made has failed—utterly failed. Instead of the ruin of the public revenue, with which they then sought to deter us from the adoption of the American system, we are now threatened with its subversion, by the vast amount of the public revenue produced by that system. Every branch of our navigation has increased."

That it should be necessary to defend a system of policy, which had produced such decidedly beneficial, such magical, such stupendous effects on all the great and minor interests of the country, public and private—effects which everybody knew, everybody saw—is indeed a just subject of wonder, and can only be accounted for by that unreasonable, unnatural hostility, armed with power, which was arrayed against it, for reasons and feelings PERSONAL in the breast of the chief magistrate of the nation, toward the author of this system, to maintain a position gained at the expense of this public benefactor!

It is possible that the cotton planter's opposition should have been the result of honest convictions; for many have not even yet discovered, that the more rapid growth of the north in wealth, is owing to its exemption from slavery; that where all men work, all must thrive; and that where the few depend on the involuntary labor of the many, they must look for the causes of slow-paced thrift, or apparent decline, not in national laws, but in local insti-

tutions. Protection is equally necessary, and equally beneficial, to one part of the country as to another, and that which makes the nation rich, can not make a fraction of it poor. They who occupy a narrow sphere, are liable to contracted views; but he whose duty as a statesman, is to survey the whole field, can not be excused, if he looks at only a part, and judges from that part. It was not possible for those who administered the government of the United States in 1832, if they had the first qualification for their position, to be ignorant of the prosperity and wealth, which the protective policy was then pouring into the coffers of the nation, and dispensing with bountiful hand to every class of the industrious and frugal. It is therefore impossible to find an apology in that quarter for hostility to the system—for a fixed and settled plan to undermine and destroy it.

One can not but feel an interest in the position of Mr. Clay at that time. He could not say what may be incumbent on an historian, in his exposition of moral causes, to suggest; but he was obliged to face the storm, and confront the assailants of his long-cherished policy, organized in the government, as if the onset had sprung from the most patriotic and praiseworthy views. The opposition of those not connected with the government, was a different thing. It was fair, and could not be judged severely. That which emanated from the federal administration, for such reasons as have been supposed, also required a respectful treatment. It was impossible to dive into the heart, and expose the secret springs of this hostility. The president was high in popular favor; his will was law, and his wishes had only to be expressed, to be executed.

It was in this state of things, that Mr. Clay returned to Congress as a senator, in 1831, to encounter an administration plan for the destruction of the protective policy—not, indeed, by open, but insidious action. The influences brought to bear from that quarter, were prodigious—overwhelming. Added to these were the feelings of the south—an agency managed on its own account—ripening into the alarming designs of nullification. It is only in view of these facts, that the position of Mr. Clay at that time can be appreciated, not alone as one of anxious concern to himself, but as one of momentous consequence to the country.

After Mr. Clay had opened his argument, of February 2, 1832, as noticed in a foregoing extract, he proceeds to the exhibition of

some facts in answer to the predictions of the opponents of the tariff of 1824, that it would desolate commercial cities, be the ruin of internal trade, &c.

"I have in my hands," said Mr. Clay, "the assessed value of real estate in the city of New York, from 1817 to 1831. This value is canvassed, contested, scrutinized, and adjudged, by the proper sworn authorities. It is, therefore, entitled to full credence. During the first term, commencing with 1817, and ending in the year of the passage of the tariff of 1824, the amount of the value of real estate was, the first year, fifty-seven millions seven hundred and ninety-nine thousand, four hundred and thirty-five dollars, and, after various fluctuations in the intermediate period, it settled down at fifty-two millions nineteen thousand seven hundred and thirty dollars, exhibiting a decrease, in seven years, of five millions seven hundred and seventy-nine thousand seven hundred and five dollars. During the first year, of 1825, after the passage of the tariff, it rose, and, gradually ascending throughout the whole of the latter period of seven years, it finally, in 1831, reached the astonishing height of ninety-five millions seven hundred and sixteen thousand four hundred and eighty-five dollars! Now, if it be said, that this rapid growth of the city of New York was the effect of *foreign commerce*, then it was not correctly predicted, in 1824, that the tariff would destroy foreign commerce, and desolate our commercial cities. If, on the contrary, it be the effect of internal trade, then internal trade can not be justly chargeable with the evil consequences imputed to it. The truth is, it is the joint effect of both principles, the domestic industry nourishing the foreign trade, and the foreign commerce in turn nourishing the domestic industry. Nowhere more than in New York is the combination of both principles so completely developed. In the progress of my argument, I will consider the effect upon the price of commodities produced by the American system, and show that the very reverse of the prediction of its foes, in 1824, actually happened.

"While we thus behold the entire failure of all that was foretold against the system, it is a subject of just felicitation to its friends, that all their anticipations of its benefits have been fulfilled, or are in progress of fulfilment."

Speaking of the variety and extent of interests comprehended in the protective policy, Mr. Clay says:—

"Why, sir, there is scarcely an interest, scarcely a vocation in society, which is not embraced by the beneficence of this system.

"It comprehends our coasting tonnage and trade, from which all foreign tonnage is absolutely excluded.

"It includes all our foreign tonnage, with the inconsiderable exception made by treaties of reciprocity with a few foreign powers

"It embraces our fisheries, and all our hardy and enterprising fishermen.

"It extends to almost every mechanic art—to tanners, cordwainers, tailors, cabinet-makers, hatters, tinners, brass-workers, clock-makers, coach-makers, tallow-chandlers, trace-makers, rope-makers, cork-cutters, tobacconists, whip-makers, paper-makers, umbrella-makers, glass-blowers, stocking-weavers, butter-makers, saddle and harness-makers, cutlers, brush-makers, book-binders, dairy-men, milk-farmers, blacksmiths, type-founders, musical instrument-makers, basket-makers, milliners, potters, chocolate-makers, floor-cloth-makers, bonnet-makers, hair-cloth-makers, copper-smiths, pencil-makers, bellows-makers, pocket-book-makers, card-makers, glue-makers, mustard-makers, lumber-sawyers, saw-makers, scale-beam-makers, scythe-makers, wood-saw-makers, and many others. The mechanics enumerated enjoy a measure of protection adapted to their several conditions, varying from twenty to fifty per cent. The extent and importance of some of these artisans, may be estimated by a few particulars. The tanners, curriers, boot and shoe makers, and other workers in hides, skins, and leather, produce an ultimate value per annum of forty millions of dollars; the manufacturers of hats and caps, produce an annual value of fifteen millions; the cabinet-makers, twelve millions; the manufacturers of bonnets and hats for the female sex, lace, artificial flowers, combs, and so forth, seven millions; and the manufacturers of glass, five millions.

"It extends to all lower Louisiana, the delta of which might as well be submerged again in the gulf of Mexico, from which it has been a gradual conquest, as now to be deprived of the protecting duty upon its great staple.

"It affects the cotton-planter himself, and the tobacco-planter, both of whom enjoy protection.

"The total amount of the capital vested in sheep, the land to sustain them, wool, woollen manufactures, and woollen fabrics, and the subsistence of the various persons directly or indirectly employed in the growth and manufacture of the article of wool, is estimated at one hundred and sixty-seven millions of dollars, and the number of persons at one hundred and fifty thousand.

"The value of iron, considered as a raw material, and of its manufactures, is estimated at twenty-six millions of dollars per annum. Cotton goods, exclusive of the capital vested in the manufacture, and of the cost of the raw material, are believed to amount, annually, to about twenty millions of dollars."

Of course, it will be observed, that all these interests have greatly enlarged, since 1832.

"Such," says Mr. Clay, "are some of the items of this vast system of protection, which it is now proposed to abandon. We

might well pause and contemplate, if human imagination could conceive the extent of mischief and ruin from its total overthrow, before we proceed to the work of destruction. Its duration is worthy also of serious consideration. Not to go behind the constitution, its date is coeval with that instrument. It began on the ever-memorable fourth day of July—the fourth day of July, 1789. The second act which stands recorded in the statute-book, bearing the illustrious signature of George Washington, laid the corner-stone of the whole system. That there might be no mistake about the matter, it was then solemnly proclaimed to the American people and to the world, that it was *necessary* for 'the encouragement and *protection* of manufactures,' that duties should be laid. It is in vain to urge the small amount of the measure of the protection then extended. The great principle was then established by the fathers of the constitution, with the father of his country at their head. And it can not now be questioned, that, if the government had not then been new and the subject untried, a greater measure of protection would have been applied, if it had been supposed necessary. Shortly after, the master minds of Jefferson and Hamilton were brought to act on this interesting subject. Taking views of it appertaining to the departments of foreign affairs and of the treasury, which they respectively filled, they presented, severally, reports which yet remain monuments of their profound wisdom, and came to the same conclusion of protection to American industry. Mr. Jefferson argued that foreign restrictions, foreign prohibitions, and foreign high duties, ought to be met at home by American restrictions, American prohibitions, and American high duties. Mr. Hamilton, surveying the entire ground, and looking at the inherent nature of the subject, treated it with an ability, which, if ever equalled, has not been surpassed, and earnestly recommended protection."

Mr. Clay notices the transient seductive influences of the great French revolution on the commercial enterprise of the country, while the United States realized all the benefits of a neutral position, which, for a season, diverted attention from domestic manufactures, and checked their growth.

"Then came the edicts of Napoleon, and the British orders in council; and our embargo, non-intercourse, non-importation, and war, followed in rapid succession. These national measures, amounting to a total suspension, for the period of their duration, of our foreign commerce, afforded the most efficacious encouragement to American manufactures; and accordingly they everywhere sprung up. While these measures of restriction and this state of war continued, the manufacturers were stimulated in their enterprise by every assurance of support, by public sentiment, and by legislative resolves. It was about that period [1808] that South

Carolina bore her high testimony to the wisdom of the policy, in an act of her legislature, the preamble of which, now before me, reads:—

" 'Whereas, the establishment and *encouragement* of domestic manufactures, is conducive to the interests of a state, by adding new *incentives to industry*, and as being the means of disposing to advantage the surplus productions of the *agriculturist;* and whereas, in the present unexampled state of the world, their establishment in our country is not only *expedient*, but politic, in rendering us *independent* of foreign nations.' "

This surely, was a remarkable and instructive position for South Carolina to occupy, compared with that of 1832.

" Peace, under the treaty of Ghent, returned in 1815, but there did not return with it the golden days which preceded the edicts levelled at our commerce by Great Britain and France. It found all Europe tranquilly resuming the arts and the business of civil life. It found Europe no longer the consumer of our surplus, and the employer of our navigation, but excluding, or heavily burdening, almost all the productions of our agriculture, and our rivals in manufactures, in navigation, and in commerce. It found our country, in short, in a situation totally different from all the past—new and untried. It became necessary to adapt our laws and especially our laws of impost, to the new circumstances in which we found ourselves. * * * It has been said, that the tariff of 1816 was a measure of mere revenue, and that it only reduced the war duties to a peace standard. It is true, that the question then was, how much and in what way should the double duties of the war be reduced? Now, also, the question is, on what articles shall the duties be reduced so as to subject the amounts of the future revenue to the wants of the government? Then it was deemed an inquiry of the first importance, as it should be now, how the reduction should be made, so as to secure proper encouragement to our domestic industry. That this was a leading object in the arrangement of the tariff of 1816, I well remember, and it is demonstrated by the language of Mr. Dallas. He says, in his report: 'There are few, if any governments, which do not regard the establishment of domestic manufactures as a chief object of public policy. The United States have *always* so regarded it.' The *measure* of protection which he proposed was not adopted, in regard to some leading articles, and there was great difficulty in ascertaining what it ought to have been. But the *principle* was then distinctly asserted, and fully sanctioned.

" The subject of the American system was again brought up in 1820, by the bill reported by the chairman of the committee of manufactures, now a member of the bench of the supreme court of the United States, and the principle was successfully maintained

by the representatives of the people; but the bill which they passed was defeated in the senate. It was revived in 1824, the whole ground carefully and deliberately explored, and the bill then introduced, receiving all the sanctions of the constitution, became the law of the land. An amendment of the system was proposed in 1828, to the history of which I refer with no agreeable recollections. The bill of that year, in some of its provisions, was framed on principles directly adverse to the declared wishes of the friends of the policy of protection. I have heard, without vouching for the fact, that it was so framed, upon the advice of a prominent citizen, now abroad [Mr. Van Buren], with the view of ultimately defeating the bill, and with assurances that, being altogether unacceptable to the friends of the American system, the bill would be lost. Be that as it may, the most exceptionable features of the bill were stamped upon it, against the earnest remonstrances of the friends of the system, by the votes of southern members, upon a principle, I think, as unsound in legislation as it is reprehensible in ethics. The bill was passed, notwithstanding, it having been deemed better to take the bad along with the good which it contained, than reject it altogether. Subsequent legislation has corrected the error then perpetrated, but still that measure is vehemently denounced by gentlemen who contributed to make it what it was.

"Thus, sir, has this great system of protection been gradually built, stone upon stone, and step by step, from the 4th of July, 1789, down to the present period. In every stage of its progress it has received the deliberate sanction of Congress. A vast majority of the people of the United States has approved and continue to approve it. Every chief magistrate of the United States, from Washington to the present, in some form or other, has given to it the authority of his name; and, however the opinions of the existing president are interpreted south of Mason and Dixon's line, on the north they are at least *understood* to favor the establishment of a *judicious* tariff."

There was something very sarcastic in these words, "understood," "judicious."

"The question, therefore, which we are now called upon to determine, is not, whether we shall establish a new and doubtful system of policy, just proposed, and for the first time presented to our consideration; but whether we shall break down and destroy a long-established system, patiently and carefully built up and sanctioned, during a series of years, again and again, by the nation and its highest and most revered authorities? And are we not bound deliberately to consider whether we can proceed to this work of destruction without a violation of the public faith? The people of the United States have justly supposed, that the policy of pro-

tecting their industry against foreign legislation and foreign industry, was fully settled, not by a single act, but by repeated and deliberate acts of government, performed at distant and frequent intervals. In full confidence that the policy was firmly and unchangeably fixed, thousands upon thousands have invested their capital, purchased a vast amount of real and other estate, made permanent establishments, and accommodated their industry. Can we expose to utter and irretrievable ruin this countless multitude, without justly incurring the reproach of violating the national faith ?

* * * * * * * *

" When gentlemen have succeeded in their design of an immediate or gradual destruction of the American system, what is their substitute ? Free trade ? Free trade ! The call for free trade is as unavailing, as the cry of a spoiled child in its nurse's arms, for the moon, or the stars that glitter in the firmament of heaven. It never has existed, it never will exist. Trade implies at least two parties. To be free, it should be fair, equal, and reciprocal. But if we throw our ports wide open to the admission of foreign productions, free of all duty, what ports of any other foreign nation shall we find open to the free admission of our surplus produce ? We may break down all barriers to free trade on our part, but the work will not be complete, until foreign powers shall have removed theirs. There would be freedom on one side, and restrictions, prohibitions, and exclusions, on the other. The bolts, and the bars, and the chains, of all other nations will remain undisturbed. It is, indeed, possible, that our industry and commerce would accommodate themselves to this unequal and unjust state of things ; for such is the flexibility of our nature, that it bends itself to all circumstances. The wretched prisoner, incarcerated in a jail, after a long time, becomes reconciled to his solitude, and regularly notches down the passing days of his confinement.

" Gentlemen deceive themselves. It is not free trade that they are recommending to our acceptance. It is, in effect, the British colonial system that we are invited to adopt ; and, if their policy prevail, it will lead substantially to the recolonization of these states, under the commercial dominion of Great Britain."

The opponents of Mr. Clay were much addicted to quote foreign authorities, especially British, in support of the doctrine of free trade. Whereupon Mr. Clay flung back in their face the following citation from a speech of a member of parliament :—

" ' *It was idle for us to endeavor to persuade other nations to join with us in adopting the principles of what was called 'free trade.' Other nations knew, as well as the noble lord opposite, and those who acted with him, what we meant by 'free trade,' was nothing more nor less than, by means of the great advantages we enjoyed, to*

get a monopoly of all their markets for our manufactures, and to prevent them, one and all, from ever becoming manufacturing nations. When the system of reciprocity and free trade had been proposed to a French ambassador, his remark was, that the plan was excellent in theory, but, to make it fair in practice, it would be necessary to defer the attempt to put it in execution for half a century, until France should be on the same footing with Great Britain, in marine, in manufactures, in capital, and the many other peculiar advantages which it now enjoyed. The policy that France acted on, was that of encouraging its *native* manufactures, and it was a *wise* policy; because, if it were freely to admit our manufactures, it would speedily be reduced to the rank of an *agricultural nation;* and *therefore*, a poor nation, as all must be that depend *exclusively* upon agriculture. America acted, too, upon the same principle with France. America legislated for futurity—legislated for an increasing population. America, too, was prospering under this system. In twenty years, America would be independent of England for manufactures altogether. * * * But since the peace, France, Germany, America, and all the other countries of the world, had proceeded upon the principle of encouraging and protecting native manufactures.' "

Mr. Clay also edified his opponents, and all whom it might concern, with some curious and instructive citations from the work of Joshua Gee, published in 1750, setting forth how the British colonies ought to be treated, under the following heads:—

" 'First, that manufactures, in American colonies, should be discouraged, or prohibited. * * * We ought always to keep a watchful eye over our colonies, to restrain them from setting up any of the manufactures which are carried on in Great Britain; and any such attempts should be crushed in the beginning; for if they are suffered to grow up to maturity, it will be difficult to suppress them.

" 'Our colonies are much in the same state Ireland was in, when they began the woollen manufactory, and as their numbers increase, will fall upon manufactures for clothing themselves, if due care be not taken to find employment for them, in raising such productions as may enable them to furnish themselves with all their necessaries from us. * * * * * *

" 'Secondly, the advantages to Great Britain, from keeping the colonists dependent on her for their essential supplies.

" 'If we examine into the circumstances of the inhabitants of our plantations, and our own, it will appear, that not one fourth part of their product redounds to their *own profit;* for out of all that comes here, they only carry back clothing, and other acommodations for their families, all of which is of the merchandise and manufacture of this kingdom.'

"After showing how this system tends to concentrate all the surplus of acquisition over absolute expenditure in England, he says:—

"'All these advantages we receive by the plantations, besides the mortgages on the planters' estates, and the high interest they pay us, which is very considerable; and therefore very great care ought to be taken in regulating all the affairs of the colonists, that the planters be not put under *too many difficulties*, but encouraged to go on cheerfully.

"'New England and the northern colonies have not commodities and products enough to send us, in return, for purchasing their necessary clothing, but are under very great difficulties, and therefore any ordinary sort sells with them. And when they have grown out of *fashion* with us, they are new-fashioned *enough* there.'"

After having made liberal citations of this kind from this author, Mr. Clay says:—

"Sir, I can not go on with this disgusting detail. Their refuse goods, their old shop-keepers, their cast-off clothes good enough for us! Was there ever a scheme more artfully devised, by which the energies and faculties of one people should be kept down, and rendered subservient to the pride and the pomp and the power of another? The system then proposed differs only from that which is now recommended in one particular—that was intended to be enforced by power; this would not be less effectually executed by the force of circumstances."

Coincident with these citations made by Mr. Clay from British authorities, the following historical facts are derived from Pitkin's Statistical View: In 1699, the British parliament prohibited the colonies from exporting wool, yarn, or woollen fabrics, and from carrying them coastwise from one colony and place to another. In 1719, parliament declared, that the erection of manufactories in the colonies tended to lessen their dependence on the mother-country; and the English manufacturers memorialized parliament, that the colonies were carrying on trade, and erecting manufactories, with a view to obtain legislation to arrest it. In 1731, the board of trade were instructed to inquire as to the colonial laws made to encourage manufactures, as to manufactories set up, and as to the trade carried on in the colonies, and to report thereon. In 1732, they reported, that Massachusetts had passed a law to encourage manufactures; that the people of New York, Connecticut, Rhode Island, and Maryland, had fallen into the manufacture of woollen, and linen, for the use of their own families, and of flax and hemp into coarse bags and halters—all which interfered with the profit of British merchants. The board recommended, that the minds of the people

of those colonies should be immediately diverted, and a stop be put to it, or the practice would be extended. The same year parliament prohibited the exportation of hats from the colonies, and trading in them from one colony to another, by ships, carts, or horses. No hatter should set up business who had not served seven years, nor have more than two apprentices, and no black person should work at the trade. Iron mills for slitting and rolling, and plating-forges, were prohibited, under a penalty of five hundred pounds. This system of prohibition and restriction continued to increase, till the colonies rebelled, and declared independence in 1776.

To return to Mr. Clay. In answer to the objections to the protective policy, from the cotton-planting interest, Mr. Clay said:—

"It is alleged, that the system operates prejudicially to the cotton planter, by diminishing the foreign demand for his staple; that we can not sell to Great Britain unless we buy from her; that the import duty is equivalent to an export duty, and falls upon the cotton-grower; that South Carolina pays a disproportionate quota of the public revenue; that an abandonment of the protective policy would lead to an augmentation of our exports, of an amount not less than one hundred and fifty millions of dollars; and, finally, that the south can not partake of the advantages of manufacturing, if there be any. Let us examine these various propositions in detail. First, that the foreign demand for cotton is diminished, and that we can not sell to Great Britain unless we buy from her. The demand of both our great foreign customers is constantly and annually increasing. It is true, that the ratio of the increase may not be equal to that of production; but this is owing to the fact, that the power of producing the raw material is much greater, and is, therefore, constantly in advance of the power of consumption. A single fact will illustrate. The average produce of laborers engaged in the cultivation of cotton, may be estimated at five bales, or fifteen hundred weight to the hand. Supposing the annual average consumption of each individual who uses cotton cloth, to be five pounds, one hand can produce enough of the raw material to clothe three hundred.

"The argument comprehends two errors, one of fact and the other of principle. It assumes that we do not in fact purchase of Great Britain. What is the true state of the case? There are certain, but very few articles which it is thought sound policy requires that we should manufacture at home, and on these the tariff operates. But, with respect to all the rest, and much the larger number of articles of taste, fashion, and utility, they are subject to no other than revenue duties, and are freely introduced. I have before me from the treasury a statement of our imports from Eng-

land, Scotland, and Ireland, including ten years, preceding the last, and three quarters of the last year, from which it will appear that, although there are some fluctuations in the amount of the different years, the largest amount imported in any one year has been since the tariff of 1824, and that the last year's importation, when the returns of the fourth quarter shall be received, will probably be the greatest in the whole term of eleven years.

"Now, if it be admitted that there is a less amount of the protected articles imported from Great Britain, she may be, and probably is, compensated for the deficiency, by the increased consumption in America of the articles of her industry not falling within the scope of the policy of our protection. The establishment of manufactures among us excites the creation of wealth, and this gives new powers of consumption, which are gratified by the purchase of foreign objects. A poor nation can never be a great consuming nation. Its poverty will limit its consumption to bare subsistence.

"The erroneous principle which the argument includes, is, that it devolves on us the duty of taking care that Great Britain shall be enabled to purchase from us without exacting from Great Britain the corresponding duty. If it be true on one side that nations are bound to shape their policy in reference to the ability of foreign powers, it must be true on both sides of the Atlantic. And this reciprocal obligation ought to be emphatically regarded toward the nation supplying the raw material, by the manufacturing nation, because the industry of the latter gives four or five values to what had been produced by the industry of the former.

"But, does Great Britain practise toward us upon the principles which we are now required to observe in regard to her? The exports to the united kingdom, as appears from the same treasury statement just adverted to, during eleven years, from 1821 to 1831, and exclusive of the fourth quarter of the last year, fall short of the amount of imports by upward of forty-six millions of dollars, and the total amount, when the returns of that quarter are received, will exceed fifty millions of dollars! It is surprising how we have been able to sustain, for so long a time, a trade so very unequal. We must have been absolutely ruined by it, if the unfavorable balance had not been neutralized by more profitable commerce with other parts of the world. Of all nations, Great Britain has the least cause to complain of the trade between the two countries. Our imports from that single power are nearly one third of the entire amount of our importations from all foreign countries together. Great Britain constantly acts on the maxim of buying only what she wants and can not produce, and selling to foreign nations the utmost amount she can. In conformity with this maxim, she excludes articles of prime necessity produced by us, equally if not more necessary than any of her industry which we tax, although

the admission of those articles would increase our ability to purchase from her, according to the argument of gentlemen.

"If we purchased still less from Great Britain than we do, and our conditions were reversed, so that the value of her imports from this country exceeded that of her exports to it, she would only then be compelled to do what we have so long done, and what South Carolina does, in her trade with Kentucky, make up for the unfavorable balance by trade with other places and countries. How does she now dispose of the one hundred and sixty millions of dollars worth of cotton fabrics, which she annually sells? Of that amount the United States do not purchase five per centum. What becomes of the other ninety-five per centum? Is it not sold to other powers, and would not their markets remain, if ours were totally shut? Would she not continue, as she now finds it her interest, to purchase the raw material from us, to supply those markets? Would she be guilty of the folly of depriving herself of markets to the amount of upward of one hundred and fifty millions of dollars, because we refused her a market for some eight or ten millions?

"But if there were a diminution of the British demand for cotton equal to the loss of a market for the few British fabrics which are within the scope of our protective policy, the question would still remain, whether the cotton-planter is not amply indemnified by the creation of additional demand elsewhere? With respect to the cotton-grower, it is the *totality* of the demand, and not its *distribution*, which affects his interests. If any system of policy will augment the aggregate of the demand, that system is favorable to his interests, although its tendency may be to vary the theatre of the demand. It could not, for example, be injurious to him, if, instead of Great Britain continuing to receive the entire quantity of cotton which she now does, two or three hundred thousand bales of it were taken to the other side of the channel, and increased to that extent the French demand. It would be better for him, because it is always better to have several markets than one. Now if, instead of a transfer to the opposite side of the channel, of those two or three hundred thousand bales, they are transported to the northern states, can that be injurious to the cotton-grower? Is it not better for him? Is it not better to have a market at home, unaffected by war, or other foreign causes, for that amount of his staple?

"If the establishment of American manufactures, therefore, had the sole effect of creating a new and an American demand for cotton, *exactly* to the same extent in which it lessened the British demand, there would be no just cause of complaint against the tariff. The gain in one place would precisely equal the loss in the other. But the true state of the matter is much more favorable to the cotton-grower. It is calculated that the cotton manufactories of the

United States absorb at least two hundred thousand bales of cotton annually. I believe it to be more. The two ports of Boston and Providence alone received during the last year near one hundred and ten thousand bales. The amount is annually increasing. The raw material of that two hundred thousand bales is worth six millions, and there is an additional value conferred by the manufacturer of eighteen millions; it being generally calculated that, in such cotton fabrics as we are in the habit of making, the manufacture constitutes three fourths of the value of the article. If, therefore, these twenty-four millions worth of cotton fabrics were not made in the United States, but were manufactured in Great Britain, in order to obtain them, we should have to add to the already enormous disproportion between the amount of our imports and exports, in the trade with Great Britain, the further sum of twenty-four millions, or, deducting the price of the raw material, eighteen millions! And will gentlemen tell me how it would be possible for this country to sustain such a ruinous trade? From all that portion of the United States lying north and east of James river, and west of the mountains, Great Britain receives comparatively nothing. How would it be possible for the inhabitants of that largest portion of our territory, to supply themselves with cotton fabrics, if they were brought from England exclusively? They could not do it. But for the existence of the American manufacture, they would be compelled greatly to curtail their supplies, if not absolutely to suffer in their comforts. By its existence at home, the circle of those exchanges is created, which reciprocally diffuses among all who are embraced within it the productions of their respective industry. The cotton-grower sells the raw material to the manufacturer; he buys the iron, the bread, the meal, the coal, and the countless number of objects of his consumption from his fellow-citizens, and they in turn purchase his fabrics. Putting it upon the ground merely of supplying those with necessary articles who could not otherwise obtain them, ought there to be from any quarter an objection to the only system by which that object can be accomplished? But can there be any doubt, with those who will reflect, that the actual amount of cotton consumed is increased by the home manufacture? The main argument of gentlemen is founded upon the idea of mutual ability resulting from mutual exchanges. They would furnish an ability to foreign nations by purchasing from them, and I, to our own people, by exchanges at home. If the American manufacture were discontinued, and that of England were to take its place, how would she sell the additional quantity of twenty-four millions of cotton goods, which we now make? To us? That has been shown to be impracticable. To other foreign nations? She has already pushed her supplies to them to the utmost extent. The ultimate consequence would then be, to diminish the total consumption of cot-

ton, to say nothing now of the reduction of price that would take place by throwing into the ports of Great Britain the two hundred thousand bales, which, no longer being manufactured in the United States, would go thither."

It should be observed, that many of the statistics of 1832, in amount and relative bearings, have very much changed since that time. For example, as stated in the above extract, Mr. Clay puts the annual consumption of raw cotton by the manufactories of the United States at two hundred thousand bales. In 1844 it was four hundred thousand, and in 1845 was expected to reach five hundred thousand—one fourth of the entire average product. In political economy, this is an item of great importance, and greatly enhances the force of Mr. Clay's argument, as is the effect of other changes of time. The home consumption of raw cotton —all worth counting—began in 1816; in 1825, it was one hundred thousand bales; and its subsequent increase as above. In 1825, the exports of American cotton manufactures, amounted to $2,858,000; in 1840, to $3,549,000; and is annually on the increase.

If the reader's risibles are not affected when he comes to the *argumentum ad absurdum*, which Mr. Clay, in the following extract, thrusts on his opponents, he must want perception:—

"Second, that the import duty is equivalent to an export duty, and falls on the producer of cotton.

"The framers of our constitution, by granting the power to Congress to lay imports, and prohibiting that of laying an export duty, manifested that they did not regard them as equivalent. Nor does the common sense of mankind. An export duty fastens upon, and incorporates itself with, the article on which it is laid. The article can not escape from it—it pursues and follows it, wherever the article goes; and if, in the foreign market, the supply is above or just equal to the demand, the amount of the export duty will be a clear deduction to the exporter from the price of the article. But an import duty on a foreign article leaves the exporter of the domestic article free, first, to import specie; secondly, goods which are free from the protecting duty; or, thirdly, such goods as, being chargeable with the protecting duty, he can sell at home, and throw the duty on the customer.

"But it is confidently argued that the import duty falls upon the grower of cotton; and the case has been put in debate, and again and again in conversation, of the South Carolina planter, who exports one hundred bales of cotton to Liverpool, exchanges them for one hundred bales of merchandise, and when he brings them

home, being compelled to leave at the customhouse forty bales in the form of duties. The argument is founded on the assumption that a duty of forty per centum amounts to a subtraction of forty from the one hundred bales of merchandise. The first objection to it is, that it supposes a case of barter, which never occurs. If it be replied, that it nevertheless occurs in the operations of commerce, the answer would be that, since the export of Carolina cotton is chiefly made by New York or foreign merchants, the loss stated, if it really accrued, would fall upon them, and not upon the planter. *But, to test the correctness of the hypothetical case, let us suppose that the duty, instead of forty per centum, should be one hundred and fifty, which is asserted to be the duty in some cases. Then, the planter would not only lose the whole hundred bales of merchandise, which he had gotten for his hundred bales of cotton, but he would have to purchase, with other means, an additional fifty bales, in order to enable him to pay the duties accruing on the proceeds of the cotton! Another answer is, that if the producer of cotton in America exchanged against English fabrics, pays the duty, the producer of those fabrics also pays it, and then it is twice paid! Such must be the consequence, unless the principle is true on one side of the Atlantic, and false on the other.* The true answer is, that the exporter of an article, if he invests its proceeds in a foreign market, takes care to make the investment in such merchandise as, when brought home, he can sell with a fair profit; and, consequently, the consumer would pay the original cost and charges, and profit."

The following, too, is an astounding answer:—

"Third. The next objection to the American system is, that it subjects South Carolina to the payment of an undue proportion of the public revenue. The basis of this objection is the assumption shown to have been erroneous, that the producer of the exports from this country pays the duty on its imports, instead of the consumer of those imports. The amount which South Carolina really contributes to the public revenue, no more than that of any other state, can be precisely ascertained. It depends upon her consumption of articles paying duties, and we may make an approximation sufficient for all practical purposes. The cotton-planters of the valley of the Mississippi with whom I am acquainted, generally expend about one third of their income in the support of their families and plantations. On this subject I hold in my hands a statement from a friend of mine, of great accuracy, and a member of the senate. According to this statement, in a crop of ten thousand dollars, the expenses may fluctuate between two thousand eight hundred dollars and three thousand two hundred dollars. Of this sum, *about one fourth, from seven to eight hundred dollars*, may be laid out in articles paying the protective duty; the

residue is disbursed for provisions, mules, horses, oxen, wages of overseer, &c. Estimating the exports of South Carolina at eight millions, one third is two millions six hundred and sixty-six thousand six hundred and sixty-six dollars; *of which one fourth will be six hundred and sixty-six thousand six hundred and sixty-six and two thirds dollars.* Now supposing the protecting duty to be fifty per centum, and that it all enters into the price of the article, *the amount paid by South Carolina would only be three hundred and thirty-three thousand three hundred and thirty-three and one third dollars.* But the total revenue of the United States may be stated at twenty-five millions, of which the proportion of South Carolina, whatever standard, whether of wealth or population, be adopted, would be about one million. Of course, on this view of the subject, *she actually pays only about one third of her fair and legitimate share.* I repeat that, I have no personal knowledge of the habits of actual expenditure in South Carolina; they may be greater than I have stated, in respect to other parts of the cotton country; but if they are, that fact does not arise from any defect in the system of public policy.

"Fourth. An abandonment of the American system, it is urged, would lead to an addition to our exports of one hundred and fifty millions of dollars. The amount of one hundred and fifty millions of cotton in the raw state, would produce four hundred and fifty millions in the manufactured state, supposing no greater measure of value to be communicated, in the manufactured form, than that which our industry imparts. Now, sir, where would markets be found for this vast addition to the supply? Not in the United States, certainly, nor in any other quarter of the globe, England having already everywhere pressed her cotton manufactures to the utmost point of repletion. We must look out for new worlds, seek for new and unknown races of mortals, to consume this immense increase of cotton fabrics!

[General Hayne said, that he did not mean that the increase of one hundred and fifty millions to the amount of our exports would be of cotton alone, but of other articles.]

"*What other articles?* Agricultural produce—bread-stuffs, beef and pork, and so forth? *Where* shall we find markets for them? *Whither* shall we go? To *what* country, whose ports are not hermetically sealed against their admission? Break down the home market and you are without resource. Destroy all other interests in the country, for the imaginary purpose of advancing the cotton-planting interest, and you inflict a positive injury, without the smallest practical benefit to the cotton-planter. Could Charleston, or the whole south, when all other markets are prostrated, or shut against the reception of the surplus of our farmers, receive that surplus? Would they buy more than they might want for their own consumption? Could they find markets which

other parts of the Union could not? Would gentlemen *force* the freemen of all north of James river, east and west, like the miserable slave, on the sabbath-day, to repair to Charleston, with a turkey under his arm, or a pack upon his back, and beg the clerk of some English or Scotch merchant, living in his gorgeous palace, or rolling in his splendid coach in the streets, to exchange his '*truck*' for a bit of flannel to cover his naked wife and children! No! I am sure that I do no more than justice to their hearts, when I believe that they would reject what I believe to be the inevitable effects of their policy.

"Fifth. But it is contended, in the last place, that the south can not, from physical and other causes, engage in the manufacturing arts. I deny the premises, and I deny the conclusion. I deny the fact of inability; and, if it existed, I deny the conclusion, that we must, therefore, break down our manufactures, and nourish those of foreign countries. The south possesses, in an extraordinary degree, two of the most important elements of manufacturing industry—water-power and labor. * * * * Let it be supposed, however, that the south can not manufacture: must those parts of the Union which can, be therefore prevented? Must we support those of foreign countries? I am sure that injustice would be done to the generous and patriotic nature of South Carolina, if it were believed that she envied or repined at the success of other portions of the Union in branches of industry to which she might happen not to be adapted. Throughout her whole career she has been liberal, national, high-minded.

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"I pass to two general propositions which cover the entire ground of debate. The first is, that, under the operation of the American system, the objects which it protects and fosters are brought to the consumer at cheaper prices than they commanded prior to its introduction, or, than they would command if it did not exist. If that be true, ought not the country to be contented and satisfied with the system, unless the second proposition, which I mean presently also to consider, is unfounded? And that is, that the tendency of the system is to sustain, and that it has upheld, the prices of all our agricultural and other produce, including cotton.

"And is the fact not indisputable, that all essential objects of consumption affected by the tariff, are cheaper and better since the act of 1824, than they were for several years prior to that law? I appeal for its truth to common observation, and to all practical men. I appeal to the farmer of the country, whether he does not purchase on better terms his iron, salt, brown sugar, cotton goods, and woollens, for his laboring people? And I ask the cotton-planter if he has not been better and more cheaply supplied with his cotton-bagging? * * * I plant myself upon this fact, of cheapness and superiority, as upon impregnable ground. Gen-

ılemen may tax their ingenuity, and produce a thousand speculative solutions of the fact, but the fact itself will remain undisturbed.

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"I take this to be a true principle, that if our country is producing a raw material of prime necessity, and with reasonable protection, can produce it in sufficient quantity to supply our wants, that raw materal ought to be protected, although it may be proper to protect the article also out of which it is manufactured. The tailor will ask protection for himself, but wishes it denied to the grower of wool and the manufacturer of broadcloth. The cotton planter enjoys protection for the raw material, but does not desire it to be extended to the cotton manufacturer. The shipbuilder will ask protection for navigation, but does not wish it extended to the essential articles which enter into the construction of his ship. Each in his proper vocation solicits protection, but would have it denied to all other interests which are supposed to come into collision with his.

"Now the duty of the statesman is, to elevate himself above these petty conflicts—calmly to survey all the various interests, and deliberately to proportion the measures of protection to each, according to its nature and to the general wants of society. * * * The success of our manufacture of coarse cottons is generally admitted. It is demonstrated by the fact that they meet the cotton fabrics of other countries in foreign markets, and maintain a successful competition with them. There has been a gradual increase of the exports of this article, which is sent to Mexico and the South American republics, to the Mediterranean, and even to Asia. The remarkable fact was lately communicated to me, that the same individual, who twenty-five years ago was engaged in the importation of cotton cloth from Asia for American consumption, is now engaged in the exportation of coarse American cottons to Asia, for Asiatic consumption! And my honorable friend from Massachusetts, now in my eye [Mr. Silsbee], informed me, that on his departure from home, among the last orders which he gave, one was for the exportation of coarse cottons to Sumatra, in the vicinity of Calcutta! I hold in my hand a statement, derived from the most authentic source, showing that the identical description of cotton cloth, which sold in 1817 at twenty-nine cents per yard, was sold in 1819 at twenty-one cents, in 1821 at nineteen and a half cents, in 1823 at seventeen cents, in 1825 at fourteen and a half cents, in 1827 at thirteen cents, in 1829 at nine cents, in 1830 at nine and a half cents, and in 1831 at from ten and a half to eleven. Such is the wonderful effect of protection, competition, and improvement in skill, combined! The year 1829 was one of some suffering to this branch of industry, probably owing to the principle of competition being pushed too far. Hence we observe a small rise in the article of the next two years. The introduction

of calico-printing into the United States, constitutes an important era in our manufacturing industry. It commenced about the year 1825, and has since made such astonishing advances, that the whole quantity now annually printed is but little short of forty millions of yards—about two thirds of our whole consumption. It is a beautiful manufacture, combining great mechanical skill with scientific discoveries in chymistry. The engraved cylinders for making the impression require much taste, and put in requisition the genius of the fine arts of design and engraving. Are the fine graceful forms of our fair countrywomen less lovely when enveloped in the chintzes and calicoes produced by native industry, than when clothed in the tinsel of foreign drapery?

"Gentlemen are no doubt surprised at these facts. They should not underrate the energies, the enterprise, and the skill of our fellow-citizens. I have no doubt they are every way competent to accomplish whatever can be effected by any other people, if encouraged and protected by the fostering care of our own government. Will gentlemen believe the fact, which I am authorized now to state, that the United States, at this time, manufacture one half the quantity of cotton which Great Britain did in 1816! We possess three great advantages: first, the raw material; second, water-power instead of that of steam, generally used in England; and, third, the cheaper labor of females. In England, males spin with the mule and weave; in this country, women and girls spin with the throstle, and superintend the power-loom. And can there be any employment more appropriate? Who has not been delighted with contemplating the clockwork regularity of a large cotton manufactory? I have often visited them at Cincinnati and other places, and always with increased admiration. The women, separated from the other sex, work in apartments, large, airy, well warmed, and spacious. Neatly dressed, with ruddy complexions, and happy countenances, they watch the work before them, mend the broken threads, and replace the exhausted balls or broaches. At stated hours they are called to their meals, and go and return with light and cheerful step. At night they separate, and repair to their respective houses, under the care of a mother, guardian, or friend. * * * In respect to woollens, every gentleman's own observation and experience will enable him to judge of the great reduction of price which has taken place in most of these articles, since the tariff of 1824. It would have been still greater, but for the high duty on the raw material, imposed for the particular benefit of the farming interest. But, without going into particular details, I shall limit myself to inviting the attention of the senate to a single article of general and necessary use. The protection given to flannels in 1828 was fully adequate. It has enabled the American manufacturer to obtain complete possession of the American market; and now, let us look at the effect I have

before me a statement from a highly respectable mercantile house showing the price of four descriptions of flannel during six years. The average price of them, in 1826, was thirty-eight cents and three quarters; in 1827, thirty-eight; in 1828 (the year of the tariff), forty-six; in 1829, thirty-six; in 1830 (notwithstanding the advance in the price of wool), thirty-two; and in 1831, thirty-two and one quarter. These facts require no comments. I have before me another statement of a practical and respectable man, well versed in the flannel manufacture in America and England, demonstrating that the cost of manufacture is precisely the same in both countries; and that, although a yard of flannel which would sell in England at fifteen cents, would command here twenty-two, the difference of seven cents is the exact difference between the cost in the two countries, of the six ounces of wool contained in a yard of flannel.

"Brown sugar, during ten years, from 1792 to 1802, with a duty of one and a half cents per pound, averaged fourteen cents per pound. The same article, during ten years, from 1820 to 1830, with a duty of three cents, has averaged only eight cents per pound. Nails, with a duty of five cents per pound, are selling at six cents. Window-glass, eight by ten, prior to the tariff of 1824, sold at twelve or thirteen dollars per hundred feet; it now sells for three dollars and seventy-five cents.

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"Of all human powers operating on the affairs of mankind, none is greater than that of competition. It is action and reaction. It operates between individuals in the same nation, and between different nations. It resembles the meeting of the mountain torrent, grooving, by its precipitous motion, its own channel, and ocean's tide. Unopposed, it sweeps everything before it; but, counterpoised, the waters become calm, safe, and regular. It is like the segments of a circle, or an arch: taken separately, each is nothing, but in their combination they produce efficiency, symmetry, and perfection. By the American system this vast power has been excited in America, and brought into being to act in co-operation or collision with European industry. Europe acts within itself, and with America; and America acts within itself, and with Europe. The consequence is the reduction of prices in both hemispheres. Nor is it fair to argue from the reduction of prices in Europe, to her own presumed skill and labor exclusively. We affect her prices, and she affects ours. This must always be the case, at least in reference to any articles as to which there is not a total non-intercourse; and if our industry, by diminishing the demand for her supplies, should produce a diminution in the price of those supplies, it would be very unfair to ascribe that reduction to her ingenuity, instead of placing it to the credit of our own skill and *excited* industry.

"Practical men understand very well this state of the case, whether they do or do not comprehend the causes which produce it. I have in my possession a letter from a respectable merchant, well known to me, in which he says, after complaining of the operation of the tariff of 1828, on the articles to which it applies, some of which he had imported, and that his purchases having been made in England, before the passage of that tariff was known, it produced such an effect upon the English market, that the articles could not be resold without loss. He adds: 'For it *really* appears, that, when *additional* duties are laid upon an article, it then becomes *lower* instead of *higher*.' This would not probably happen, where the supply of the foreign article did not exceed the home demand, unless upon the supposition of the increased duty having *excited* or *stimulated* the measure of the home production.

"The great law of *price* is determined by supply and demand. Whatever affects either, affects the price. If the supply is increased, the demand remaining the same, the price declines; if the demand is increased, the supply remaining the same, the price advances; if both supply and demand are undiminished, the price is stationary, and the price is influenced exactly in proportion to the degree of disturbance to the demand or supply. It is, therefore, a great error to suppose that an existing or new duty *necessarily* becomes a component element to its exact amount of price. If the proportions of demand and supply are varied by the duty, either in augmenting the supply, or diminishing the demand, or *vice versa*, price is affected to the extent of that variation. But the duty never becomes an integral part of the price, except in the instances where the demand and the supply remain, after the duty is imposed, precisely what they were before, or the demand is increased, and the supply remains stationary.

"Competition, therefore, wherever existing, whether at home or abroad, is the parent cause of cheapness. If a high duty excites production at home, and the quantity of the domestic article exceeds the amount which had been previously imported, the price will fall. This accounts for an extraordinary fact stated by a senator from Missouri. Three cents were laid as a duty upon a pound of lead, by the act of 1828. The price at Galena, and the other lead mines, afterward fell to one and a half cents per pound. Now it is obvious that the duty did not, in this case, enter into the price; for it was twice the amount of the price. What produced the fall? It was *stimulated* production at home, excited by the temptation of the exclusive possession of the home market. This state of things could not last. Men would not continue an unprofitable pursuit: some abandoned the business, or the total quantity produced was diminished, and living prices have been the consequence. But break down the domestic supply, place us again in a state of

dependence on the foreign source, and can it be doubted that we should ultimately have to supply ourselves at dearer rates? It is not fair to credit the foreign market with the depression of prices produced there by the influence of our competition. Let the competition be withdrawn, and their prices would instantly rise. On this subject, great mistakes are committed. * * * * It is not, therefore, those who, by keeping on duties, keep down prices, that tax the people; but those who, by repealing duties, would raise prices, that really impose burdens upon the people.

"But it is argued, that if, by the skill, experience, and perfection, which we have acquired in certain branches of manufacture, they can be made as cheap as similar articles abroad, and enter fairly into competition with them, why not repeal the duties as to those articles? And why should we? Assuming the truth of the supposition, the foreign article would not be introduced in the regular course of trade, but would remain excluded by the possession of the home market, which the domestic article had obtained. The repeal, therefore, would have no legitimate effect. But might not the foreign article be imported in vast quantities, to glut our markets, break down our establishments, and ultimately to enable the foreigner to monopolize the supply of our consumption? America is the greatest foreign market for European manufactures. It is that to which European attention is constantly directed. If a great house becomes bankrupt there, its storehouses are emptied, and the goods are shipped to America, where, in consequence of our auctions, and our customhouse credits, the greatest facilities are afforded in the sale of them. Combinations among manufacturers might take place, or even the operations of foreign governments might be directed to the destruction of our establishments. A repeal, therefore, of one protecting duty, from some one or all of these causes, would be followed by flooding the country with the foreign fabric, surcharging the market, reducing the price, and a complete prostration of our manufactories; after which the foreigner would leisurely look about to indemnify himself in the increased prices which he would be enabled to command by his monopoly of the supply of our consumption. What American citizen, after the government had displayed this vacillating policy, would be again tempted to place the smallest confidence in the public faith, and adventure once more in this branch of industry?

"Gentlemen have allowed to the manufacturing portions of the community no peace; they have been constantly threatened with the overthrow of the American system. From the year 1820, if not from 1816, down to this time, they have been held in a condition of constant alarm and insecurity. Nothing is more prejudicial to the great interests of a nation than unsettled and varying policy. Although every appeal to the national legislature has been responded to in conformity with the wishes and sentiments of the

great majority of the people, measures of protection have only been carried by such small majorities as to excite hopes on the one hand, and fears on the other. Let the country breathe, let its vast resources be developed, let its energies be fully put forth, let it have tranquillity, and, my word for it, the degree of perfection in the arts, which it will exhibit, will be greater than that which has been presented, astonishing as our progress has been. Although some branches of our manufactures might, and in foreign markets now do, fearlessly contend with similar foreign fabrics, there are many others, yet in their infancy, struggling with the difficulties which encompass them. We should look at the whole system, and recollect that time, when we contemplate the great movements of a nation, is very different from the short period which is allotted for the duration of individual life. The honorable gentleman from South Carolina well and eloquently said, in 1824: 'No great interest of any country ever yet grew up in a day; no new branch of industry can become firmly and profitably established, but in a long course of years; everything, indeed, great or good, is matured by slow degrees; that which attains a speedy maturity is of small value, and is destined to a brief existence. It is the order of Providence, that powers gradually developed, shall alone attain permanency and perfection. Thus must it be with our national institutions, and national character itself.'

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"I have now to consider the remaining of the two propositions which I have already announced. That is, that, under the operation of the American system, the products of our agriculture command a higher price than they would do without it, by the creation of a home market, and by the augmentation of wealth produced by manufacturing industry, which enlarges our powers of consumption, both of domestic and foreign articles. The importance of the home market is among the established maxims which are universally recognised by all writers and all men. However some may differ as to the relative advantages of the foreign and the home market, none deny to the latter great value and high consideration. It is nearer to us, beyond the control of foreign legislation, and undisturbed by those vicissitudes to which all international intercourse is more or less exposed. The most stupid are sensible of the benefit of a residence in the vicinity of a large manufactory, or of a market town, of a good road, or of a navigable stream, which connects their farms with some great capital. If the pursuits of all men were perfectly the same, although they would be in possession of the greatest abundance of the particular produce of their industry, they might, at the same time, be in extreme want of other necessary articles of human subsistence. The uniformity of the general occupation would preclude all exchanges, all commerce. It is only in the diversity of the vocations of the members of a

community, that the means can be found for those salutary exchanges which conduce to the general prosperity. And the greater that diversity, the more extensive and the more animating is the circle of exchange. Even if foreign markets were freely and widely open to the reception of our agricultural produce, from its bulky nature, and the distance of the interior, and the dangers of the ocean, large portions of it could never profitably reach the foreign market. But let us quit this field of theory, clear as it is, and look at the practical operation of the system of protection, beginning with the most valuable staple of our agriculture.

"In considering this staple, the first circumstance that excites our surprise, is the rapidity with which the amount of it has annually increased. Does not this fact, however, demonstrate that the cultivation of it could not have been so very unprofitable? If the business were ruinous, would more and more have annually engaged in it? The quantity in 1816, was eighty-one millions of pounds; in 1826, two hundred and four millions; and in 1830, near three hundred millions! The ground of greatest surprise is, that it has been able to sustain even its present price with such an enormous augmentation of quantity. It could not have been done but for the combined operation of three causes, by which the consumption of cotton fabrics has been greatly extended, in consequence of their reduced prices: first, competition; second, the improvement of labor-saving machinery; and, thirdly, the low price of the raw material. The crop of 1819, amounting to eighty-eight millions of pounds, produced twenty-one millions of dollars; the crop of 1823, when the amount was swelled to one hundred and seventy four millions (almost double that of 1819), produced a less sum by more than half a million of dollars; and the crop of 1824, amounting to thirty millions of pounds less than that of the preceding year, produced a million and a half of dollars more.

"If there be any foundation for the established law of price, supply and demand, ought not the fact of this great increase of the supply to account satisfactorily for the alleged low price of cotton? Is it necessary to look beyond that single fact to the tariff, to the diminished price of the mines furnishing the precious metals, or to any other cause, for the solution? * * * If there be any truth in the facts and principles which I have before stated, and endeavored to illustrate, it can not be doubted that the existence of American manufactures has tended to increase the demand, and extend the consumption of the raw material; and that, but for this increased demand, the price of the article would have fallen, possibly one half lower than it now is. The error of the opposite argument is, in assuming one thing, which being denied, the whole fails; that is, it assumes that the *whole* labor of the United States would be profitably employed without manufactures. Now, the truth is, that the system *excites* and *creates* labor, and this labor creates

wealth, and this new wealth communicates additional ability to consume, which acts on all the objects contributing to human comfort and enjoyment. The amount of cotton imported into the two ports of Boston and Providence alone during the last year (and it was imported exclusively for the home manufacture), was one hundred and nine thousand five hundred and seventeen bales.

"On passing from that article to others of our agricultural production, we shall find not less gratifying facts. The total quantity of flour imported into Boston, during the same year, was two hundred and eighty-four thousand five hundred and four barrels, and three thousand nine hundred and fifty-five half barrels; of which, there were from Virginia, Georgetown, and Alexandria, one hundred and fourteen thousand two hundred and twenty-two barrels; of Indian corn, six hundred and eighty-one thousand one hundred and thirty-one bushels; of oats, two hundred and thirty-nine thousand eight hundred and nine bushels; of rye, about fifty thousand bushels; and of shorts, thirty-three thousand four hundred and eighty-nine bushels; into the port of Providence, seventy-one thousand three hundred and sixty-nine barrels of flour; two hundred and sixteen thousand six hundred and sixty-two bushels of Indian corn, and seven thousand seven hundred and seventy-two bushels of rye. And there were discharged at the port of Philadelphia, four hundred and twenty thousand three hundred and fifty-three bushels of Indian corn; two hundred and one thousand eight hundred and seventy-eight bushels of wheat, and one hundred and ten thousand five hundred and fifty-seven bushels of rye and barley. There were slaughtered in Boston during the same year, 1831 (the only northern city from which I have obtained returns), thirty-three thousand nine hundred and twenty-two beef-cattle; fifteen thousand and four hundred calves; eighty-four thousand four hundred and fifty-three sheep, and twenty-six thousand eight hundred and seventy-one swine. It is confidently believed, that there is not a less quantity of southern flour consumed at the north than eight hundred thousand barrels, a greater amount, probably, than is shipped to all the foreign markets of the world together.

"What would be the condition of the farming country of the United States—of all that portion which lies north, east, and west of James river, including a large part of North Carolina—if a home market did not exist for this immense amount of agricultural produce? Without that market, where could it be sold? In foreign markets? If their restrictive laws did not exist, their capacity would not enable them to purchase and consume this vast addition to their present supplies, which must be thrown in, or thrown away, but for the home market. But their laws exclude us from their markets. I shall content myself by calling the attention of the senate to Great Britain only. The duties in the

ports of the united kingdom on bread-stuffs are prohibitory, except in times of dearth. On rice, the duty is fifteen shillings sterling per hundred weight, being more than one hundred per centum. On manufactured tobacco it is nine shillings sterling per pound, or about two thousand per centum. Of leaf tobacco three shillings per pound, or one thousand two hundred per cent. On lumber, and some other articles, they are from four hundred to fifteen hundred per centum more than on similar articles imported from British colonies. In the British West Indies the duty on beef, pork, hams, and bacon, is twelve shillings sterling per hundred, more than one hundred per centum on the first cost of beef and pork in the western states. And yet Great Britain is the power in whose behalf we are called upon to legislate, so that *we* may enable *her* to purchase our cotton!—Great Britain, that thinks only of herself in her own legislation! When have we experienced justice, much less favor, at her hands? When did she shape her legislation in reference to the interests of any foreign power? She is a great, opulent, and powerful nation; but haughty, arrogant, and supercilious—not more separated from the rest of the world by the sea that girts her island, than she is separated in feeling, sympathy, or friendly consideration of their welfare. Gentlemen, in supposing it impracticable that we should successfully compete with her in manufactures, do injustice to the skill and enterprise of their own country. Gallant as Great Britain undoubtedly is, we have gloriously contended with her, man to man, gun to gun, ship to ship, fleet to fleet, and army to army. And I have no doubt we are destined to achieve equal success in the more useful, if not nobler contest for superiority in the arts of civil life.

"I could extend and dwell on the long list of articles—the hemp, iron, lead, coal, and other items—for which a demand is created in the home market by the operation of the American system; but I should exhaust the patience of the senate. *Where*, *where* should we find a market for all these articles, if it did not exist at home? What would be the condition of the largest portion of our people, and of the territory, if this home market were annihilated? How could they be supplied with objects of prime necessity? What would not be the certain and inevitable decline in the price of all these articles, but for the home market? And allow me, Mr. President, to say, that of all the agricultural parts of the United States which are benefited by the operation of this system, none are equally so with those which border the Chesapeake bay, the lower parts of North Carolina, Virginia, and the two shores of Maryland. Their facilities of transportation, and proximity to the north, give them decided advantages.

"But if all this reasoning were totally fallacious; if the price of manufactured articles were really higher, under the American

system, than without it; I should still argue that high or low prices were themselves relative—relative to the ability to pay them. It is in vain to tempt, to tantalize us with the lower prices of European fabrics than our own, if we have nothing wherewith to purchase them. If, by the home exchanges, we can be supplied with necessary, even if they are dearer and worse articles of American production than the foreign, it is better than not to be supplied at all. And how would the large portion of our country, which I have described, be supplied, but for the home exchanges? A poor people, destitute of wealth or of exchangeable commodities, has nothing to purchase foreign fabrics with. To them they are equally beyond their reach, whether their cost be a dollar or a guinea. It is in this view of the matter that Great Britain, by her vast wealth, her *excited* and *protected* industry, is enabled to bear a burden of taxation, which, when compared to that of other nations, appears enormous; but which, when her immense riches are compared to theirs, is light and trivial. The gentleman from South Carolina has drawn a lively and flattering picture of our coasts, bays, rivers, and harbors; and he argues that these proclaimed the design of Providence, that we should be a commercial people. I agree with him. We differ only as to the means. He would cherish the foreign, and neglect the internal trade. I would foster both. What is navigation without ships, or ships without cargoes? By penetrating the bosoms of our mountains, and extracting from them their precious treasures; by cultivating the earth, and *securing* a home market for its rich and abundant products; by employing the water power with which we are blessed; by stimulating and protecting our native industry, in all its forms, we shall but nourish and promote the prosperity of commerce, foreign and domestic.

"I have hitherto considered the question, in reference only to a state of peace; but a season of war ought not to be entirely overlooked. We have enjoyed near twenty years of peace; but who can tell when the storm of war shall again break forth? Have we forgotten, so soon, the privations to which not merely our brave soldiers and our gallant tars were subjected, but the whole community, during the last war, for the want of absolute necessaries? To what an enormous price they rose! And how inadequate the supply was, at any price! The statesman who justly elevates his views, will look behind as well as forward, and at the existing state of things; and he will graduate the policy, which he recommends, to all the probable exigences which may arise in the republic. Taking this comprehensive range, it would be easy to show that the higher prices of peace, if prices *were* higher in peace, were more than compensated by the lower prices of war, during which, supplies of all essential articles are indispensable to its vigorous, effectual, and glorious prosecution. I conclude this

part of the argument with the hope that my humble exertions have not been altogether unsuccessful in showing:—

"First, that the policy which we have been considering ought to continue to be regarded as the genuine American system.

"Secondly, that the free-trade system, which is proposed as its substitute, ought really to be considered as the British colonial system.

"Thirdly, that the American system is beneficial to all parts of the Union, and absolutely necessary to much the larger portion.

"Fourthly, that the price of the great staple of cotton and of all our chief productions of agriculture, has been sustained and upheld, and a decline averted, by the protective system.

"Fifthly, that if the foreign demand for cotton has been at all diminished, by the operation of that system, the diminution has been more than compensated, in the additional demand created at home.

"Sixthly, that the constant tendency of the system, by creating competition among ourselves, and between American and European industry, reciprocally acting upon each other, is to reduce prices of manufactured articles.

"Seventhly, that, in point of fact, articles within the scope of the policy of protection, have greatly fallen in price.

"Eighthly, that if, in a season of peace, these benefits are experienced, in a season of war, when the foreign supply might be cut off, they would be much more extensively felt.

"Ninthly, and finally, that the substitution of the British colonial system for the American system, without benefiting any section of the Union, by subjecting us to a foreign legislation, regulated by foreign interests, would lead to the prostration of our manufactories, general impoverishment, and ULTIMATE RUIN."

Thus was Mr. Clay obliged, in 1832, to fight over again the battles of former years, when the protective policy was supposed to have been for ever settled and established in the country. A new political era was opened in the ascendency of Andrew Jackson to power, and to maintain that ascendency, it was necessary to break up that system of national policy, which Mr. Clay, more than any other man—which Mr. Clay as leader—had been the instrument in originating, organizing, and establishing. The protective policy was indeed but one part of that system; but it was a fundamental and vital part. Mr. Clay's soul as a patriot, was embarked in it, and his fame as a statesman was, in a great measure, staked upon it. After a protracted and painful struggle, he and his coadjutors had succeeded in 1824, in rescuing the country from ruin, and it had gone on for a series of years, in a ca-

reer of prosperity, unparalleled before or since. Notwithstanding the public odium which had been brought upon Mr. Clay, by the temporary success of the conspiracy to accuse him of "bargain and corruption," in the election of Mr. Adams, he was rising again to eclipse his foes, by the beneficent operation of his plan of public policy. To assail it directly and openly, on its merits, would not do; to let it live, and flourish, and bless the land, was to let him live and flourish, his fame being identified therewith. It must therefore be undermined by indirection—broken up—overthrown. The wisdom of his policy must be confounded, by confounding and annihilating its results.

No person, having read the foregoing argument of Mr. Clay on the protective policy, extracted from his matchless efforts of 1832, if that person is at all interested in understanding the subject, would consent that it should be abridged. Considered only as a specimen of eloquent, logical, unanswerable reasoning, it is unsurpassed; but as an exposition and defence of the protective system, it may, without fear of contradiction, be pronounced *complete* in the most essential attributes of all argument—clearness, fact, and logical deduction. It was the peril of the cause that put him to the task, and his own fitness for the duty that enabled him to discharge it with such brilliant and triumphant success, so far as its convincing power is concerned, in its influence on unprejudiced minds. And the argument is not more remarkable for its irresistible force, and for its consummate structure, than for its beauties. While it remains, the cause is defended, and there is no answer that can be made to it. Amplifications there may be on new facts, and fresh developments of history; but the germ and full maturity of the policy are there, comprehending equally the past, the present, and the future.

CHAPTER VIII.

THE COMPROMISE TARIFF.

Mr. Clay's Views of Public Policy in a Letter to the Hon. J. S. Johnston.—Controversy between the President and Vice-President, General Jackson and Mr. Calhoun.—Pilate and Herod agree in one Thing.—Nullification.—General Jackson attempts to kill two Birds at one Throw.—Fails to kill either.—Publication of the Ordinance of Nullification.—General Jackson's Proclamation.—Governor Hayne's Counter Proclamation.—South Carolina in a State of Rebellion.—Mr. Clay's Opinion of General Jackson's Proclamation in a Private Letter.—The Proclamation a Failure.—General Jackson misses his Game.—Mr. Clay on the Alert to save the Protective Policy.—Difficulties of his Position.—Matures his Plan.—Proposes the Compromise.—Explains it to the Senate.—Analysis of the Bill.—Its favorable Reception.—The Administration (Mr. Verplanck's) Bill under Par.—A Private Letter from Mr. Clay of this Date.

THE following extract from a private letter of Mr. Clay to his particular friend, the Hon. J. S. Johnston, U. S. senator from Louisiana, will disclose some of his views of public policy, before he returned to the senate, in 1831. It is dated at Harrodsburg (Kentucky), July 23, 1831:—

"Of the events at Washington, which have occurred since I saw you, I need say but little. Every one, fond of his country, must have seen them with mortification and regret. The only consolation deducible from them is, that they may contribute to dispel the delusion which placed those in power, who have occasioned them.

"You request, and I have pleasure in communicating, my views of the policy which ought to be observed by the general government, in respect to the tariff, after the payment of the public debt.

"1. I think the principle of protection, both in theory, and its practical application, must be preserved.

"2. That, as the wants of the government, supposing the continuance of peace, will not then require more than about twelve millions of dollars, duties of impost ought to be reduced or totally repealed, upon articles of foreign growth, not competing with the productions of domestic industry, to such an amount as will leave the revenue about that sum. This, I believe, can be effected without touching any of the leading or essential articles which are now protected.

"3. As for internal improvements, I never would lay one cent of tax or duty for their prosecution; but, from time to time, as surpluses of revenue accumulate, they should be applied to the object of their promotion.

"4. The renewal of the charter of the bank of the United States, with any modifications which may have been suggested by experience.

"These are the general principles. Details are unnecessary. You will at once see their application. You will also perceive the expediency of your considering this communication confidential. The country is at present so much excited, on most of the above subjects, that neither party is prepared impartially to consider any proposition which does not comprehend all it asks, in whatever spirit of extravagance. Any publication of my views would probably expose me to misconception with both parties. And I do not think, on the other hand, that, during the contest now existing, any opinions of mine should be put forth, which might be construed into an appeal, on my part, to the public."

A FEW historical reminiscences here, as between General Jackson and Mr. Calhoun, will perhaps cast some light on events now rapidly maturing to a crisis. These two eminent individuals, the former as president, and the latter as vice-president, had gone on with tolerable harmony—possibly in sincere friendship—till some third persons had forced upon the president's notice the facts, that Mr. Calhoun, as secretary of war, under Mr. Monroe, had not only taken the ground, in cabinet counsel, that General Jackson had transcended his orders, in the Seminole war, by occupying the Spanish posts; but that he was in favor of censure—of punishment. It is not material to the present object, who hoped to profit by stirring up these ashes; but the coals touched the president to the quick, and he immediately called on the vice-president, by a note, transmitting a newly-discovered document as the ground of his action, for an explanation. Whereupon the vice-president, very properly, threw himself back on his reserved rights, and declined to answer a private inquiry into his official conduct. The president wrote back, that it was unnecessary to say more; and from that moment the personal feud between them commenced, the consequences of which were very important and momentous. It is one of the instructive lessons of history to observe how such personal matters among men of exalted station and great influence, affect states and nations. Mr. Calhoun, by this event, was cut off from his chances of the succession. It is remarkable, that before

General Jackson was installed for his second term, South Carolina nullification burst forth upon the land!

The opposition of some portions of the south to the protective policy, was not in itself sufficient to shake its foundations, and menace it with overthrow. It was the junction of that force with the personal feelings of the president in ANOTHER direction from Mr. Calhoun, that made both formidable, and precipitated the country into a new and unexpected crisis. It was not material that these two agencies, these two wills—that of General Jackson and that of Mr. Calhoun—should have the same ultimate design, so long as they could act together in removing an obstacle which lay in the path of both. They might hate each other as much as each hated their common opponent, and yet unite for the destruction of the latter. That there was a moral affinity of this kind between the head of the national administration and the leader of nullification, though in a deadly quarrel with each other, it is supposed, will not be questioned.

South Carolina, led on by Mr. Calhoun, had already made some strong and decided demonstrations of her purpose, when Mr. Clay was engaged in this debate in the senate of the United States, in February, 1832. It was impossible, therefore, that this state of things in that quarter should be disregarded on such an occasion. In allusion to it, Mr. Clay said:—

"With respect to this Union, Mr. President, the truth can not be too generally proclaimed, nor too strongly inculcated, that it is necessary to the *whole* and to all the *parts*—necessary to those parts, indeed, in different degrees, but vitally necessary to *each*—and that threats to disturb or dissolve it, coming from any of the parts, would be quite as indiscreet and improper as would be threats from the residue to exclude those parts from the pale of its benefits. The great principle, which lies at the foundation of all free governments, is, that the majority must govern—from which there is, or can be, no appeal but to the sword. That majority ought to govern wisely, equitably, moderately, and constitutionally, but govern *it must*, subject only to that terrible appeal. If ever one or several states, being a minority, can, by menacing a dissolution of the Union, succeed in forcing an abandonment of great measures, deemed essential to the interests and prosperity of the whole, the Union, from that moment, is practically gone. It may linger on, in form and name, but its vital spirit has fled for ever! Entertaining these deliberate opinions, I would entreat the patriotic people of South Carolina—the land of Marion, Sumpter, and Pickens—of Rutledge, Laurens, the Pinckneys and Lowndes—of living and

present names, which I would mention if they were not living or present—to pause, solemnly pause! and contemplate the frightful precipice which lies directly before them! To retreat may be painful and mortifying to their gallantry and pride, but it is to retreat to the Union, to safety, and to those brethren with whom, or with whose ancestors, they, or their ancestors, have won, on fields of glory, imperishable renown. To advance, is to rush on certain and inevitable disgrace and destruction.

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"The danger to our Union does not lie on the side of persistence in the American system, but on that of its abandonment. If, as I have supposed and believe, the inhabitants of all north and east of James river, and all west of the mountains, including Louisiana, are deeply interested in the preservation of that system, would they be reconciled to its overthrow? Can it be expected that two thirds, if not three fourths, of the people of the United States, would consent to the destruction of a policy, believed to be indispensably necessary to their prosperity?—when, too, the sacrifice is made at the instance of a single interest, which they verily believe will not be promoted by it? In estimating the degree of peril which may be incident to two opposite courses of human policy, the statesman would be short-sighted, who should content himself with viewing only the evils, real or imaginary, which belong to that course which is in practical operation. He should lift himself up to the contemplation of those greater and more certain dangers which might inevitably attend the adoption of the alternative course. What would be the condition of this Union, if Pennsylvania and New York, those mammoth members of our confederacy, were firmly persuaded that their industry was paralyzed, and their prosperity blighted, by the enforcement of the British colonial system, under the delusive name of free trade? They are now tranquil and happy, and contented, conscious of their welfare, and feeling a salutary and rapid circulation of the products of home manufactures and home industry, throughout all their great arteries. But let that be checked—let them feel that a foreign system is to predominate, and the sources of their subsistence and comfort dried up; let New England and the west, and the middle states, all feel that they too are the victims of a mistaken policy, and let these vast portions of our country despair of any favorable change, and then indeed we might tremble for the continuance and safety of this Union!

"And need I remind you, sir, that this dereliction of the duty of protecting our domestic industry, and abandonment of it to the fate of foreign legislation, would be directly at war with leading considerations which prompted the adoption of the present constitution? The states respectively surrendered to the general government the whole power of laying imposts on foreign goods

They stripped themselves of all power to protect their own manufactures, by the most efficacious means of encouragement—the imposition of duties on rival foreign fabrics. Did they create that great trust, did they voluntarily subject themselves to this self-restriction, that the power should remain in the federal government inactive, unexecuted, and lifeless? Mr. Madison, at the commencement of the government, told you otherwise. In discussing at that early period this very subject, he declared that a failure to exercise this power would be a '*fraud*' upon the northern states, to which may now be added the middle and western states.

"Gentlemen are greatly deceived as to the hold which this system has in the affections of the people of the United States. They represent that it is the policy of New England, and that she is most benefited by it. If there be any part of this Union which has been most steady, most unanimous, and most determined in its support, it is Pennsylvania. Why is not that powerful state attacked? Why pass her over, and aim the blow at New England? New England came reluctantly into the policy. In 1824, a majority of her delegation was opposed to it. From the largest state of New England there was but a solitary vote in favor of the bill. That enterprising people can readily accommodate their industry to any policy, provided it be *settled*. They supposed this was fixed, and they submitted to the decrees of government. And the progress of public opinion has kept pace with the developments of the benefits of the system. Now, all New England, at least in this house (with the exception of one small still voice), is in favor of the system. In 1824, all Maryland was against it; now the majority is for it. Then, Louisiana, with one exception, was opposed to it; now, without any exception, she is in favor of it. The march of public sentiment is to the south. Virginia will be the next convert; and in less than seven years, if there be no obstacles from political causes, or prejudices industriously instilled, the majority of eastern Virginia will be, as the majority of western Virginia now is, in favor of the American system. North Carolina will follow later, but not less certainly. Eastern Tennessee is now in favor of the system. And, finally, its doctrines will pervade the whole Union, and the wonder will be, that they ever should have been opposed.

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"For one, I am delighted to see the condition of the poor attracting the consideration of the opponents of the tariff. It is for the great body of the people, and especially for the poor, that I have ever supported the American system. It affords them profitable employment, and supplies the means of comfortable subsistence. It *secures* to them, certainly, necessaries of life, manufactured at home and places within their reach, and enables them to acquire a reasonable share of foreign luxuries; while the system

of gentlemen *promises* them necessaries made in foreign countries, and which are beyond their power, and *denies* to them luxuries, which they would possess no means to purchase. * * *

"Let us then adopt the measure before us, which will benefit all classes—the farmer, the professional man, the merchant, the manufacturer, the mechanic—and the cotton-planter more than all."

During the recess between the first and second session of the twenty-second Congress, the cloud which had risen in the south, threatening a dissolution of the Union, had not passed over, but seemed waiting to discharge its contents in a desolating storm. The resolution which Mr. Clay had introduced in the early part of the first session, and which was the subject of such protracted and earnest debate, had assumed the shape of a bill, passed both houses, and became a law, by the approval of the executive, the fourteenth of July, since called the tariff of 1832. It was made an additional element of the fire kindling in the south; and before the second session of Congress had opened, the convention of South Carolina had passed its nullifying ordinance, which took its place in the statute-book as a part of fundamental law; the legislature had assembled, and, in hot speed, were making provisions for the conflict. The ordinance of nullification was passed the 24th of November, and signed with all due solemnity by JAMES HAMILTON, jr., president, and by *one hundred and forty* members, in some such manner as theDeclaration of American Independence was ratified. An address to the people of South Carolina went out from this convention—also an address to the people of the United States—of all and several of the other members of the confederacy. All measures necessary for a state of perfect independence were taken, by acts of legislation; an oath of allegiance was prescribed to all officers, civil, military, and judicial; and preparations were made for sustaining the state in this position by force of arms! The whole contingent levies amounted to twelve thousand men.

On the 10th of December, 1832, the president of the United States issued his proclamation, denouncing this movement of South Carolina as TREASON, warning the people of that state of the consequences, and calling them back to duty and obedience. On the 20th of December, ten days afterward, Governor Hayne, of South Carolina, issued a counter proclamation, enjoining obedience to the act of nullification.

It was in this state of things, that the second session

twenty-second Congress was opened. The position of Mr. Calhoun at this moment, as the leader—father of nullification—was peculiar. Having resigned the vice-presidency, in consequence of his feud with the president, he was again in the senate of the United States. Though the recognised leader of nullification, it does not appear, that he was so far technically implicated, as to constitute a ground of impeachment or indictment.

It can not be denied, that President Jackson's proclamation was a fine opportunity—for he had both right and power on his side—to humble, perhaps cripple a formidable adversary, with whom he had recently picked a quarrel. But the effect of the proclamation on the public mind evinced, that it had been dictated more by personal feelings, than by that moderation and considerate policy, which best became the chief magistrate of the nation.

In a private letter of Mr. Clay to Judge Brooke, dated Washington, December 12, 1832, he says:—

"You ask, what is to be done with nullification? I must refer you to the president's proclamation. One short week produced the message and the proclamation—the former *ultra* on the side of state-rights—the latter *ultra* on the side of consolidation. How they are to be reconciled, I must leave to our Virginia friends. As to the proclamation, although there are good things in it, especially what relates to the judiciary, there are some entirely too *ultra* for me, and which I can not stomach. A proclamation ought to have been issued weeks ago; but I think it should have been a very different paper from the present, which, I apprehend, will irritate, instead of allaying excited feeling. Congress has not been called upon, and I sincerely hope it may not be necessary to call upon it, in this unfortunate affair."

It was not expected of General Jackson, that he would recede; but it was sufficiently manifest, by the general dissatisfaction with this rash proceeding, that he would be obliged to make a shift. While, therefore, he maintained the appearance of occupying firmly, and with resolute purpose, the ground of the proclamation, he was concocting, and preparing to have introduced into the house of representatives, a new tariff bill, for the total destruction of the protective policy! If, by this double game, he should not be able to kill two birds with one stone, he might at least hope to kill one, and clip the wings of the other. While the South Carolina defiance of federal authority, represented in the person of Andrew Jackson, was an additional provocation to his hatred of Mr. Calhoun, in whom was represented the nullifying power, it might be

some gratification to have scotched that snake, under an appearance of brave fight, if, after having done it, he could turn round and destroy his old and more formidable opponent. It is manifest, that these two cards were in General Jackson's hand; nor is it less evident, that they were well played; though, fortunately for the country, the game did not entirely succeed.

Was it to be supposed, that Mr. Clay, observing all this, and aware of his position and his responsibilities, would be asleep, or idle? He knew very well, that General Jackson was frightened at his own proclamation, and would be glad, if he could, with credit, to get out of the difficulty; that the nation was averse to such a severe and perilous remedy, as a resort to arms, in a domestic controversy; that any tolerable alternative proposed, would be more acceptable; that General Jackson had all power in his hands; and that the new tariff bill, emanating from that quarter, in the garb of a peace-offering, without the offer of a substitute, would not only pass, but be the GRAVE of the protective policy. It was no longer a question, in such circumstances, whether that policy could be saved entire; it was impossible; but, whether a part of it could be saved, and the principle be vindicated, till a more auspicious day should dawn upon the country. Such was the position, such the peril of the protective policy, at that moment.

There was another difficulty to encounter. As a tariff bill is regarded as a revenue measure, and all legislation on this subject was understood as required by the constitution to originate in the house of representatives, it seemed at least irregular to make the first, or even a contemporaneous, movement in the senate. But in extraordinary emergencies, forms are sometimes dispensed with, by common consent; and as the majority of each branch of Congress was yet unwilling to sacrifice the protective policy, the independent action of the senate might perhaps be connived at by the house, and afterward be adopted as its own. The administration measure, Mr. Verplanck's bill, had already been reported to the house, and was in progress, when Mr. Clay, February 11, 1833, gave notice in the senate, that he should the next day ask leave to introduce a bill to modify the various acts imposing duties on imports. Mr. Clay, on this occasion, opened his remarks as follows:—

"I yesterday, sir, gave notice that I should ask leave to introduce a bill to modify the various acts imposing duties on imports.

I at the same time added, that I should, with the permission of the senate, offer an explanation of the principle on which that bill is founded. I owe, sir, an apology to the senate for this course of action, because, although strictly parliamentary, it is, nevertheless, out of the usual practice of this body; but it is a course which I trust that the senate will deem to be justified by the interesting nature of the subject. I rise, sir, on this occasion, actuated by no motives of a private nature, by no personal feelings, and for no personal objects; but exclusively in obedience to a sense of the duty which I owe to my country. I trust, therefore, that no one will anticipate on my part any ambitious display of such humble powers as I may possess. It is sincerely my purpose to present a plain, unadorned, and naked statement of facts connected with the measure which I shall have the honor to propose, and with the condition of the country. When I survey, sir, the whole face of our country, I behold all around me evidences of the most gratifying prosperity, a prospect which would seem to be without a cloud upon it, were it not that through all parts of the country there exist great dissensions and unhappy distinctions, which, if they can possibly be relieved and reconciled by any broad scheme of legislation adapted to all interests, and regarding the feelings of all sections, ought to be quieted; and leading to which object any measure ought to be well received.

"In presenting the modification of the tariff laws, which I am now about to submit, I have two great objects in view. My first object looks to the tariff. I am compelled to express the opinion, formed after the most deliberate reflection, and on full survey of the whole country, that, whether rightfully or wrongfully, the tariff stands in imminent danger. If it should be preserved during this session, it must fall at the next session. By what circumstances, and through what causes, has arisen the necessity for this change in the policy of our country, I will not pretend now to elucidate. Others there are, who may differ from the impressions which my mind has received upon this point. Owing, however, to a variety of concurrent causes, the tariff, as it now exists, is in imminent danger, and if the system can be preserved beyond the next session, it must be by some means not now within the reach of human sagacity. The fall of that policy, sir, would be productive of consequences calamitous indeed. When I look to the variety of interests which are involved, to the number of individuals interested, the amount of capital invested, the value of the buildings erected, and the whole arrangement of the business for the prosecution of the various branches of the manufacturing art, which have sprung up under the fostering care of this government, I can not contemplate any evil equal to the sudden overthrow of all those interests. History can produce no parallel to the extent of the mischief which would be produced by such a disaster.

The repeal of the edict of Nantes itself was nothing in comparison with it. That condemned to exile and brought to ruin a great number of persons. The most respectable portion of the population of France was condemned to exile and ruin by that measure. But, in my opinion, sir, the sudden repeal of the tariff policy would bring ruin and destruction on the whole people of this country. There is no evil, in my opinion, equal to the consequences which would result from such a catastrophe."

It would doubtless be unnessary to say, that the measure proposed by Mr. Clay on this occasion, has since been known as the COMPROMISE TARIFF ACT OF 1833. He saw, that, between Gen. Jackson on the one hand, and South Carolina nullification on the other, the system of protective policy, as established, was in imminent peril—that it was in danger of utter annihilation. What could be done in such an emergency? The agitations of the Missouri question, thirteen years previous, which seemed to give little hope for peace and the Union, had been hushed by a healing measure. No one supposed, when only a year before, the land question was thrust upon Mr. Clay for the purpose of embarrassing him, that he would come forth from the ordeal in soundness and vigor. He seemed to indulge apprehensions for himself. But the countenance of his opponents was covered with dismay, when he brought in his report and bill. It was impossible to assail it. It triumphed, though pending at this very moment, and was only strangled in General Jackson's pocket, by robbing the legislative branch of the government, of their rights.

But there were difficulties in adjusting this compromise tariff, which seemed above any human power to surmount. The lightnings had already burst from the stormy cloud in the south, and the thunders were heard in the distance. The president of the United States seemed not reluctant to embrace the opportunity to make peace with the angry blood he had stirred up by his precipitancy and his too earnest endeavor to put Mr. Calhoun in a BAD EMINENCE—where traitors are put. He had killed him politically. That might satisfy. In the grave of the protective policy, would perchance be buried its earliest advocate and constant defender. What objection to have him also out of the way? Not that the policy was bad, but its advocate was OBNOXIOUS. How many things were to be considered in devising a measure, that would pass safely through such an ordeal! How could a captive hope to run a gauntlet under a thousand uplifted tomahawks,

without being hit! The strong and serried ranks of party were to be broken up; friends were to be lost, and enemies won; all were to be taken by surprise, and carried by surprise—even the president himself; or rather, the majority were to be put in such a position, by the suitableness and fairness of the proposal, that they could not object to it; and it must be of a character, too, from which the executive could not escape. And such it proved to be.

The bill was denominated, "An act to modify the act of the fourteenth of July, one thousand eight hundred and thirty-two, and all other acts imposing duties on imports," and was in substance as follows: That, on the 31st of December, 1833, all ad-valorem duties of more than 20 per cent., shall be reduced *one tenth;* on the 31st of December, 1835, there shall be another reduction of one tenth on duties of the same class; another equal reduction, on the same class and same principle, the 31st of December, 1837; another do., do., December 31, 1839; on the 31st of December, 1841, one half of the residue of such excess, to be taken off; and from and after the 31st of June, 1842, the remaining half of such excess to be taken off, leaving a maximum of 20 per cent.

Two principles of great practical importance were introduced into this bill, to take effect from and after the 31st of June, 1842, first the abolition of credit for duties; and next, *home valuation*, or the assessment of the value of imports at the ports of entry. By the first, foreign factors would be prevented from flooding and glutting the American market by speculation, without being obliged to pay duties till the goods were sold. This evil had proved to be of immense magnitude. By the second, the power of assessing value, in other words of legislating in the case, as to the amount of duties, would be taken from foreign governments and foreign factors, and restored to the rightful authority, the government of the United States. When imports are graduated by the export value, in foreign countries, frauds, on an immense scale, are practised, first by the operation of the policy of foreign governments, and next, by false invoices and perjury of foreign factors, thereby defrauding the American government, American manufacturers, and injuring American merchants.

On this subject of home valuation, Mr. Clay, in his speech in the senate, of March 1, 1842, on a general project of national policy, which he then submitted, says:—

"As things now stand, we lay the duty, but foreigners fix the value of the goods. Give me but the power of fixing the value of the goods, and I care little, in comparison, what may be the rate of duty you impose. It is evident that on the ad-valorem principle, it is the foreigner who virtually fixes the actual amount of the duty paid. It is the foreigner who, by fixing that value, virtually legislates for us—and that in a case where his interest is directly opposed to that of our revenue. I say, therefore, that independently of all considerations of protection, independently of all ends or motives but the prevention of those infamous frauds which have been the disgrace of our customhouse—frauds in which the foreigner, with his double and triple and quadruple invoices, ready to be produced as circumstances may require, fixes the value of the merchandise taxed—every consideration of national dignity, justice, and independence, demands the substitution of home valuation in the place of foreign."

There were sundry details of this bill in qualifying clauses, exceptions, contingencies, special regulations for specified articles, within the range of the leading rules of the act for the reduction of duties; and the door was left open for alterations and amendments of the act in particular items, not inconsistent with the implied faith of the measure, and in the contingency either of excess or deficiency of revenue—one of the recognised and avowed objects of the bill, on the general principle, being to raise such a revenue as might be necessary to an economical administration of the government.

But Mr. Clay himself had occasion to explain this bill as late as 1842, when he introduced his resolutions of general policy, above referred to, as follows:—

"But it is necessary now to consider what the principles of the compromise act really are.

"The first principle is, that there should be a fixed rate of ad-valorem duty, and discriminations below it.

"Second, that the excess of duty beyond twenty per centum should, by a gradual process, commencing on the thirty-first of December, 1833, be reduced, so that by the thirtieth of June, 1842, it should be brought down to twenty per centum.

"Third, that after that day, *such duties should be laid* for the purpose of raising *such* revenue as might be necessary for an economical administration of the government; consequently excluding all resort to internal taxation, or to the proceeds of the public lands. For, contemporaneously with the pendency of the compromise act, a bill was pending for the distribution of those proceeds

"Fourth, that after the thirtieth of June, 1842, all duties should be paid in ready money, to the exclusion of all credits.

"Fifth, that, after the same day, the assessment of the value of all imports should be made at home and not abroad.

"Sixth, that after the same day, a list of articles specified and enumerated in the act, should be admitted free of duty, for the benefit of the manufacturing interest.

"These are the principles, and all the principles of the compromise act. An impression has been taken up most erroneously, that the rate of duty was never to exceed twenty per centum. There is no such limitation in the act. I admit that, at the time of the passage of the act, a hope was entertained that a rate of duty not exceeding twenty per centum would supply an adequate revenue to an economical administration of the government. Then we were threatened with that overflow of revenue with which the treasury was subsequently inundated; and the difficulty was to find articles which should be liberated from duty and thrown into the free class. Hence, wines, silks, and other luxuries, were rendered free. But neither the act, nor any part of the act, when fairly interpreted, limits Congress to the iron rule of adhering for ever, and under all circumstances, to a fixed and unalterable rate of twenty-per-centum duty."

It would be impossible for any one to examine, if he could understand, this bill, in all its relations and bearings to so many interests, sectional and other, and in its adaptation to the critical condition of the country at that moment, and not be struck with admiration, not less of the consummate statesmanship which it demonstrates, than of its impartial kindness toward all parties, and of that comprehensive, lofty, disinterested patriotism, which Mr. Clay has so often displayed in great and critical emergencies—which never fails him when his country calls.

The very proposal of the bill was a triumph, which everybody saw, and which its author no doubt felt with satisfaction. But it had its difficulties to encounter. Friends were disturbed, and in danger of going off into opposition to it. Some did. But what was lost on that side, was more than made up by the yielding of opponents. The various, and somewhat complicated aspects of the measure, burst upon the senate, upon Congress, upon the country, like the sudden advent of a stranger, whose character, standing, and mien, claimed universal attention and respect. There were many who could not comprehend it, some were vexed, all admired. Mr. Verplanck's bill, put forward, if not at the instigation, at least with the sanction of the president, and which struck

at the roots of the protective policy, having been for six weeks under consideration in the house—it was reported the 28th of December—could not escape comparison with that proposed by Mr. Clay, and was instantly lowered to the condition of being in poor request. It was dead the moment this new-born child began to breathe.

But, to the difficulties. They were not inconsiderable. All had been anticipated, and all, as far as possible, were provided against in the bill. But the dissatisfactions must have vent, and the objections must be answered. When Mr. Clay introduced the bill, before objections had been heard, his chief duty was to explain it. On that occasion he said:—

"What, sir, are the complaints which unhappily divide the people of this great country? On the one hand it is said, by those who are opposed to the tariff, that it unjustly taxes a portion of the people, and paralyzes their industry; that it is to be a perpetual operation; that there is to be no end to the system; which, right or wrong, is to be urged to their inevitable ruin. And what is the just complaint, on the other hand, of those who support the tariff? It is, that the policy of the government is vacillating and uncertain, and that there is no stability in our legislation. Before one set of books is fairly opened, it becomes necessary to close them, and to open a new set. Before a law can be tested by experiment, another is passed. Before the present law has gone into operation—before it is yet nine months old—passed, as it was, under circumstances of extraordinary deliberation, the fruit of nine months' labor—before we know anything of its experimental effects, and even before it commences its operations—we are required to repeal it. On one side we are urged to repeal a system which is fraught with ruin; on the other side, the check now imposed on enterprise, and the state of alarm in which the public mind has been thrown, renders all prudent men desirous, looking ahead a little way, to adopt a state of things, on the stability of which they may have reason to count. Such is the state of feeling on the one side and on the other. I am anxious to find out some principle of mutual accommodation, to satisfy, as far as practicable, both parties—to increase the stability of our legislation, and at some distant day—but not too distant—when we take into view the magnitude of the interests which are involved, to bring down the rate of duties to that revenue standard, for which our opponents have so long contended. The basis on which I wish to found this modification, is one of time; and the several parts of the bill to which I am about to call the attention of the senate, are founded on this basis. I propose to give protection to our manufactured articles, adequate protection for a length of time, which, compared

with the length of human life, is very long, but which is short, in proportion to the legitimate discretion of every wise and parental system of government; securing the stability of legislation, and allowing time for a gradual reduction, on one side: and on the other, proposing to reduce the duties to that revenue standard, for which the opponents of the system have so long contended."

The difficulties of Mr. Clay's position, in the proposal of the compromise bill, were numerous and peculiar. In the first place, it was a great responsibility to step forward boldly and alone, with a measure in hand, to plant himself in the centre of such conflicting elements, to oppose their rage, and allay the storm. There was the president on the one hand, who had lately killed the bank, suppressed the land bill, and who, at this moment, was meditating the act of seizing on the public purse. His hostility to the tariff was fully revealed; and his own measure to destroy protection was already in the house of representatives, in the form of a bill making progress, with every prospect of success, if not that session, at the next. His proclamation to suppress nullification by force of arms, if necessary, was before the world.

Not the least of the difficulties was to bring forward a proposal that should satisfy the advocates of protection, if it aimed at the same time to disarm the hostile attitude of the president toward that policy, and the discontents of the south. The project seemed a miracle, and that wing of both houses of Congress, which represented the manufacturing districts of the country, was predisposed to be alarmed, and to take a stand against it at once, as necessarily wrong, and destructive of the interests of their constituents.

In the midst of these warring elements, Mr. Clay was obliged to take up his stand, first, to turn away their blows from each other, and next, as far as possible, to ward them from lighting down on his own head. It was inevitably a risk to himself, while it presented only a slender hope of effecting a conciliation.

The following are some of Mr. Clay's remarks on the different modes of protection :—

"First, the absolute prohibition of rival foreign articles which is totally unattempted by the bill; but it is competent to the wisdom of the government to exert the power whenever they wish. Second, the imposition of duties in such a manner as to have no reference to any object but revenue. When we had a large public debt in 1816, the duties yielded thirty-seven millions, and paid so much more of the debt, and subsequently they yielded but eight or ten millions, and paid so much less of the debt. Sometimes we

have to trench on the sinking fund. Now we have no public debt to absorb the surplus revenue, and no motive for continuing the duties. No man can look at the condition of the country, and say that we can carry on this system with accumulating revenue, and no practical way of expending it. The third mode was attempted last session, in a resolution which I had the honor to submit last year, and which in fact ultimately formed the basis of the act which finally passed both houses. This was to raise as much revenue as was wanted for the use of the government, and no more, but to raise it from the protected, and not from the unprotected articles. I will say, that I regret most deeply that the greater part of the country will not suffer this principle to prevail. It ought to prevail; and the day, in my opinion, will come, when it will be adopted as the permanent policy of the country. Shall we legislate for our own wants or those of a foreign country? To protect our own interests in opposition to foreign legislation was the basis of this system. The fourth mode in which protection can be afforded to domestic industry, is to admit free of duty every article which aided he operations of the manufacturers. These are the four modes for protecting our industry; and to those who say that the bill abandons the power of protection, I reply, that it does not touch that power; and that the fourth mode, so far from being abandoned, is extended and upheld by the bill. The most that can be objected to the bill by those with whom I co-operate to support the protective system, is, that, in consideration of nine and a half years of peace, certainty, and stability, the manufacturers relinquished some advantages which they now enjoy. What is the principle which has always been contended for in this and in the other house? After the accumulation of capital and skill, the manufacturers will stand alone, unaided by the government, in competition with the imported articles from any quarter. Now give us time; cease all fluctuations and agitations, for nine years, and the manufacturers in every branch will sustain themselves against foreign competition. If we can see our way clearly for nine years to come, we can safely leave to posterity to provide for the rest. If the tariff be overthrown, as may be its fate next session, the country will be plunged into extreme distress and agitation. I want harmony. I wish to see the restoration of those ties which have carried us triumphantly through two wars. I delight not in this perpetual turmoil. Let us have peace, and become once more united as a band of brothers. * * * The confederacy is an excellent contrivance, but it must be managed with delicacy and skill. There are an infinite variety of prejudices and local interests to be regarded, but all should be made to yield to the Union."

Again: "If the system proposed can not be continued, let us try some intermediate system, before we think of any other dreadful alternative. Sir, it will be said, on the other hand—for the objections

are made by the friends of protection, principally—that the time is too long; that the intermediate reductions are too inconsiderable and that there is no guaranty that, at the end of the time stipulated the reduction proposed would be allowed to take effect. In the first place should be recollected the diversified interests of the country; the measures of the government which preceded the establishment of manufactures; the public faith in some degree pledged for their security; and the ruin in which rash and hasty legislation would involve them. I will not dispute about terms. It would not, in a court of justice, be maintained that the public faith is pledged for the protection of manufactures; but there are other pledges which men of honor are bound by, besides those of which the law can take cognizance."

It is clear that the compromise was no otherwise unalterable, than that, in common good faith, it should not be essentially disturbed within its own limits as to time, except for cause which might gain the assent of the party that would naturally object. The will and discretion of the legislature would of course remain as free as ever, on this subject, as well as on others. But men of honor would not violate an understanding, effected by a mutual concession of dissentients, whereby a controversy, alike dangerous to all parties, had been adjusted. No doubt there were a great deal of faith and weighty consequent moral obligations, embodied in the compromise; but its own terms prescribed the modes in which, and specified the contingencies on which, a most satisfactory freedom might be exercised. It is true, indeed, that this understanding was afterward broken, and that attempts were made to disappoint it utterly—not, however, by Mr. Clay or his friends. It was broken instantly by the president, in withholding the land bill, and returning it with his objections to the next Congress. The provisions of that bill were a part of the understanding—an essential part, without which the compromise could not be fairly sustained toward all parties; and if there had been any doubt of its receiving the sanction of the president, who had himself in substance recommended it, it would have been incorporated with the compromise act, and passed. During its entire term, it was the subject of constant attack, and was materially impaired, in its bearings on protection, to abate it, by the agents in whose hands its administration was intrusted. The beneficence of the measure, therefore, was in a great measure defeated, for want of good faith in the parties to the arrangement.

But it was impossible to shield the great interests of the country

against the potent assaults made upon them by the administration of the government, for a protracted period, in the demolition of the currency system, in the suppression of the land bill, in the removal of the deposites, in such unscrupulous violations of the compromise law, and in various other like modes of action in the federal authorities. A man, in the position of Mr. Clay, all this while, might risk, as he often did—might even sacrifice himself, as he was always ready to do—but he could not save the country. The overwhelming waters had burst all barriers, and must spread themselves out, to be absorbed in the earth, in the sea, and in the air.

But the principle of protection was rescued by the compromise, to be reincorporated, as it finally was, in the tariff act of 1842. It is no less true, that a degree of protection, adequate for the most important interests of the country, was secured by the compromise act, if it had been faithfully carried out, and if hostile measures, such as those mentioned above, and others, had not been introduced, to circumvent its beneficent purposes—beneficent to the full extent that was practicable in existing circumstances. He who prevents an overwhelming flood of evil, of calamity, impending the community, is no less a public benefactor, than he who secures the same amount of positive good—he does, in fact, by that very act, secure positive good, that was threatened with annihilation.

For those who contended, that protection was abandoned by the compromise bill, it was sufficient to reply, that they could not possibly maintain, that it was more than *suspended*. The power was in the constitution, as none could deny. The history of that instrument shows, that protection was the chief object of its adoption. If there were sufficient reasons for suspending the use of that power for a season, no reasonable man could say, like Mr. Secretary Taney, in the removal of the deposites, that, having the power, they were bound to "*exercise*" it. Every power of the constitution is conferred to be used, or not used, at discretion, and some of them have lain dormant to this day. But no one, for that reason, can truly say, they are not there, or that they may not be used when occasion requires.

But protection was not abandoned by the compromise, as the terms of the law demonstrate. The scale of diminishing duties was designed for protection, present and future—present, in that the duties were not to be reduced at once, without some time to prepare for it; and future, in that the reduction was to be gradual, and therefore easy, and therefore tolerable, and therefore it was

protection. As a compromise, which supposes mutual concession and sacrifice, all that might be desired by either party, could not be expected. The recognition of the principle of protection was stamped on every feature of the bill, and pervaded its structure It was hoped it would afford sufficient protection—and there is reason to suppose that this hope would have been very satisfactorily realized, if the law had not been undermined and violated in the manner already noticed. Who can provide against vice of administration, when the executive power is absolute, and will not respect either law or principle?

Mr. Clay confessed, that the attitude taken by South Carolina, in her nullifying ordinance, had made him pause, and that he had "felt a disposition to hurl defiance back again, and to impress upon her the necessity of the performance of her duty as a member of the Union." But more recent intelligence had softened this feeling. The first of February had passed, and the execution of her ordinance had been postponed to the fourth of March, and he did not doubt that it would be indefinitely postponed. Her hostile array had already melted down into the declaration of a purpose to try an experiment in the courts of law, as Ohio and Virginia had done before, and both had failed. It was true, that South Carolina was most offensive in the mode she had chosen to adopt.

But Mr. Clay had another and very weighty reason for acting on this measure without delay: "I would repeat," he said, "that, under all the circumstances of the case, the condition of South Carolina is only one of the elements of a COMBINATION, the whole of which, together, constitutes a motive of action, which renders it expedient to resort, during the present session of Congress, to some measure in order to quiet and tranquilize the country." This "combination," for the utter subversion of the protective policy, has already been noticed.

In the conclusion of his speech on the introduction of the bill, Mr. Clay said:—

"South Carolina must perceive the embarrassments of her situation. She must be desirous—it is unnatural to suppose that she is not—to remain in the Union. What! a state whose heroes in its gallant ancestry fought so many glorious battles along with the other states of this Union—a state with which this confederacy is linked by bonds of such a powerful character! I have sometimes fancied what would be her condition if she goes out of this Union; if her five hundred thousand people should at once be thrown upon their own resources. She is out of the Union. What is the consequence? She is an independent power. What then does she do?

She must have armies and fleets, and an expensive government, have foreign missions; she must raise taxes; enact this very tariff, which has driven her out of the Union, in order to enable her to raise money, and to sustain the attitude of an independent power. If she should have no force, no navy to protect her, she would be exposed to piratical incursions. Their neighbor, St. Domingo, might pour down a horde of pirates on her borders, and desolate her plantations. She must have her embassies; therefore must she have a revenue. And, let me tell you, there is another consequence, an inevitable one: she has a certain description of persons recognised as property south of the Potomac, and west of the Mississippi, which would be no longer recognised as such, except within their own limits. This species of property would sink to one half of its present value, for it is Louisiana and the southwestern states which are her great market.

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"If there be any who want civil war, who want to see the blood of any portion of our countrymen spilt, I am not one of them. I wish to see war of no kind; but, above all, I do not desire to see a civil war. When war begins, whether civil or foreign, no human sight is competent to foresee when, or how, or where it is to terminate. But when a civil war shall be lighted up in the bosom of our own happy land, and armies are marching, and commanders are winning their victories, and fleets are in motion on our coast, tell me, if you can, tell me, if any human being can tell its duration? God alone knows where such a war would end. In what a state will our institutions be left? In what state our liberties? I want no war; above all, no war at home.

"Sir, I repeat, that I think South Carolina has been rash, intemperate, and greatly in the wrong; but I do not want to disgrace her, nor any other member of this Union. No: I do not desire to see the lustre of one single star dimmed, of that glorious confederacy which constitutes our political sun; still less do I wish to see it blotted out, and its light obliterated for ever. Has not the state of South Carolina been one of the members of this Union in 'days that tried men's souls?' Have not her ancestors fought alongside our ancestors? Have we not, conjointly, won together many a glorious battle? If we had to go into a civil war with such a state, how would it terminate? Whenever it should have terminated, what would be her condition? If she should ever return to the Union, what would be the condition of her feelings and affections? what the state of the heart of her people? She has been with us before, when her ancestors mingled in the throng of battle, and as I hope our posterity will mingle with hers, for ages and centuries to come, in the united defence of liberty, and for the honor and glory of the Union. I do not wish to see her degraded or defaced as a member of this confederacy.

"In conclusion, allow me to entreat and implore each individual member of this body to bring into the consideration of this measure, which I have had the honor of proposing, the same love of country which, if I know myself, has actuated me, and the same desire of restoring harmony to the Union, which has prompted this effort. If we can forget for a moment—but that would be asking too much of human nature—if we could suppress, for one moment, party feelings and party causes—and, as I stand here before my God, I declare I have looked beyond these considerations, and regarded only the vast interests of this united people—I should hope, that under such feelings, and with such dispositions, we may advantageously proceed to the consideration of this bill, and heal, before they are yet bleeding, the wounds of our distracted country."

The following extract from a private letter of Mr. Clay to Judge Brooke, of February 14th, 1833, is applicable here:—

"I had foreborne to communicate to you the plan of accommodation which I intended to submit, because, although I had long since settled in my mind the principle of the plan, I had not finally arranged the details. That work was only completed a few days ago. You will see in the papers, that I have presented it to the senate in the shape of a bill. I was fully aware of all the personal consequences, and personal risks, to which I exposed myself. The measure has been well received. Still, every contrivance will be resorted to by the Van Buren men, and by some of the administration party, to frustrate or defeat the project. That, you know, I anticipated. What will be the final issue of the plan, I can not certainly say. I hope for success."

That there should have been loss and gain in the compromise, resulted from the nature of the measure: it *was* a compromise. But the design and tendency of the act, by a faithful execution, was, that this loss and gain should be distributed among citizens of the same great republic. It was based on a principle that lies at the foundation of the government and institutions of the country, viz., mutual concession for general good—a principle, "which," as Mr. Clay said, on that occasion, "gave birth to the constitution itself, and which has continued to regulate us in our onward march, and conducted the nation to glory and renown. If the measure should be carried by the common consent of both parties, we shall have all security; history will faithfully record the transaction; narrate under what circumstances the bill passed; that it was a pacifying measure; that it was as oil poured from the vessel of the Union, to restore peace and harmony to the country."

CHAPTER IX.

THE COMPROMISE TARIFF.

Mr. Clay's Reply to Objections.—The Perilous Position of the Protective Policy at the Moment.—Triumph of the Compromise.—Its Immediate Effect.—The Compromise Act not carried out by General Jackson.—Partially Defeated by Strangling the Land Bill.—Mr. Clay's later Statements on the Subject.—His Reply to Mr. Calhoun, in 1840.—The Grand Result.—Hon. John M. Clayton's Account of the Compromise Debate.—Mr. Dallas's Motion in the Senate, and Mr. Polk's Statement in Tennessee.—Letter from Mr. Clay to the Hon. John M. Clayton.—Mr. Clay, and Mr. Randolph.

On the 25th of February, 1833, about two weeks after the introduction of the compromise tariff bill, Mr. Clay rose to reply to some objections it had encountered. Inasmuch as there were differences of opinion among his political friends at the time, and inasmuch as it has to some extent been a subject of debate from that time to the present, it seems obviously proper to introduce here the substance of his reasoning after the objections had been stated:—

"I have long, with pleasure and pride, co-operated in the public service with the senator from Massachusetts [Mr. Webster], and I have found him faithful, enlightened, and patriotic. I have not a particle of doubt as to the pure and elevated motives which actuate him. Under these circumstances, it gives me deep and lasting regret, to find myself compelled to differ from him as to a measure involving vital interests, and perhaps the safety of the Union. On the other hand, I derive great consolation from finding myself, on this occasion, in the midst of friends with whom I have long acted, in peace and in war, and especially with the honorable senator from Maine [Mr. Holmes], with whom I had the happiness to unite in a memorable instance. It was in this very chamber, that senator presiding in the committee of the senate, and I in committee of twenty-four of the house of representatives, on a sabbath-day, that the terms were adjusted, by which the compromise of the Missouri question was effected. Then the dark clouds that hung over our beloved country were dispersed; and now the thunders from others, not less threatening, and which have been longer accumulating, will, I hope, roll over us harmless and without injury.

" The senator from Massachusetts objects to the bill under consideration, on various grounds. He argues, that it imposes unjustifiable restra nts on the power of future legislation; that it abandons the protective policy, and that the details of the bill are practically defective. He does not object to the gradual, but very inconsiderable, reduction of duties which is made prior to 1842. To that he could not object, because it is a species of prospective provision, as he admits, in conformity with numerous precedents on our statute-book. He does not object so much to the state of the proposed law prior to 1842, during a period of nine years; but, throwing himself forward to the termination of that period, he contends that Congress will then find itself under inconvenient shackles, imposed by our indiscretion. In the first place, I would remark, that the bill contains no obligatory pledges—it could make none, none are attempted. The power over the subject is in the constitution, put there by those who formed it, and liable to be taken out only by an amendment of the instrument. The next Congress, and every succeeding Congress, will undoubtedly have the power to repeal the law whenever they may think proper. Whether they will exercise it, or not, will depend upon a sound discretion, applied to the state of the whole country, and estimating fairly the consequences of the repeal, both upon the general harmony and the common interests. Then the bill is founded in a spirit of compromise. Now, in all compromises there must be mutual concessions. The friends of free trade insist, that duties should be laid in reference to revenue alone. The friends of American industry say, that another, if not paramount object in laying them, should be, to diminish the consumption of foreign, and increase that of domestic products. On this point the parties divide, and between these two opposite opinions a reconciliation is to be effected, if it can be accomplished. The bill assumes as a basis adequate protection for nine years, and less beyond that term. The friends of protection say to their opponents, we are willing to take a lease of nine years, with the long chapter of accidents beyond that period, including the chance of war, the restoration of concord, and along with it a conviction common to all, of the utility of protection; and in consideration of it, if, in 1842, none of these contingences shall have been realized, we are willing to submit, as long as Congress may think proper, to a maximum rate of twenty per centum, with the power of discrimination below it, cash duties, *home valuations*, and a liberal list of free articles for the benefit of the manufacturing interest. To these conditions the opponents of protection are ready to accede. The measure is what it professes to be, a compromise; but it imposes, and could impose, no restriction upon the will or power of a future Congress. Doubtless great respect will be paid, as it ought to be paid, to the serious condition of the country that has prompted the passage of

this bill. Any future Congress that might disturb this adjustment, would act under a high responsibility; but it would be entirely within its competency to repeal, if it thought proper, the whole bill. It is far from the object of those who support this bill, to abandon or surrender the policy of protecting American industry. Its protection or encouragement may be accomplished in various ways—first, by bounties, as far as they are within the constitutional power of Congress to offer them; second, by prohibitions, totally excluding the foreign rival article; third, by high duties, without regard to the aggregate amount of revenue which they produce; fourth, by discriminating duties, so adjusted as to limit the revenue to the economical wants of government; and, fifth, by the admission of the raw material, and articles essential to manufactures, free of duty; to which may be added, cash duties, home valuations, and the regulation of auctions. A perfect system of protection would comprehend most, if not all these modes of affording it. There might be at this time a prohibition of certain articles (ardent spirits and coarse cottons, for example) to public advantage. If there were not inveterate prejudices and conflicting opinions prevailing (and what statesman can totally disregard impediments?), such a compound system might be established.

"Now, Mr. President, before the assertion is made, that the bill surrenders the protective policy, gentlemen should understand perfectly what it does not, as well as what it does propose. It impairs no power of Congress over the whole subject; it contains no promise or pledge whatever, express or implied, as to bounties, prohibitions, or auctions; it does not touch the power of Congress in regard to them, and Congress is perfectly free to exercise that power at any time; it expressly recognises discriminating duties within a prescribed limit; it provides for cash duties and home valuations; and it secures a free list, embracing numerous articles, some of high importance to the manufacturing arts. Of all the modes of protection which I have enumerated, it affects only the third; that is to say, the imposition of high duties, producing a revenue beyond the wants of government. The senator from Massachusetts contends that the policy of protection was settled in 1816, and that it has ever since been maintained. Sir, it was settled long before 1816. It is coeval with the present constitution, and it will continue, under some of its various aspects, during the existence of the government. No nation can exist, no nation perhaps ever existed, without protection in some form, and to some extent, being applied to its own industry. The direct and necessary consequence of abandoning the protection of its own industry, would be to subject it to the restrictions and prohibitions of foreign powers; and no nation, for any length of time, can endure an alien legislation, in which it has no will. The discontents which prevail, and the safety of the republic, may require the modification of a

specific mode of protection, but it must be preserved in some other more acceptable shape.

"All that was settled in 1816, in 1824, and in 1828, was, that protection should be afforded *by high duties, without regard to the amount of the revenue which they might yield.* During that whole period, we had a public debt which absorbed all the surpluses beyond the ordinary wants of government. Between 1816 and 1824, the revenue was liable to the greatest fluctuations, vibrating between the extremes of about nineteen and thirty-six millions of dollars. If there were more revenue, more debt was paid; if less, a smaller amount was reimbursed. Such was sometimes the deficiency of the revenue, that it became necessary to the ordinary expenses of government, to trench upon the ten millions annually set apart as a sinking fund, to extinguish the public debt. If the public debt remained undischarged, or we had any other practical mode of appropriating the surplus revenue, the form of protection, by high duties, might be continued without public detriment. It is the payment of the public debt, then, and the arrest of internal improvements by the exercise of the veto, that unsettles that specific form of protection. Nobody supposes, or proposes, that we should continue to levy, by means of high duties, a large annual surplus, of which no practical use can be made, for the sake of the incidental protection which they afford. The secretary of the treasury estimates that surplus on the existing scale of duties, and with the other sources of revenue, at six millions annually. An annual accumulation at that rate, would, in a few years, bring into the treasury the whole currency of the country, to lie there inactive and dormant.

"This view of the condition of the country has impressed every public man with the necessity of some modification of the principles of protection, so far as it depends upon high duties. The senator from Massachusetts feels it; and hence, in the resolutions which he submitted, he proposes to reduce the duties, so as to limit the amount of the revenue to the wants of the government. With him revenue is the principal, protection the subordinate object. If protection can not be enjoyed after such a reduction of duties as he thinks ought to be made, it is not to be extended. He says, specific duties and the power of discrimination, are preserved by his resolutions. So they may be under the operation of the bill. The only difference between the two schemes is, that the bill, in the maximum which it provides, suggests a certain limit, while his resolutions lay down none. Below that maximum, the principle of discrimination and specific duties may be applied. The senator from Pennsylvania [Mr. Dallas], who, equally with the senator from Massachusetts, is opposed to this bill, would have agreed to the bill, if it had fixed thirty instead of twenty per centum; and he would have dispensed with home valuation, and come down to

he revenue standard in five or six years. Now, Mr. President, I prefer, and I think the manufacturing interest will prefer, nine years of adequate protection, home valuations, and twenty per centum, to the plan of the senator from Pennsylvania.

"Mr. President, I want to be perfectly understood as to the motives which have prompted me to offer this measure. I repeat what I said on the introduction of it, that they are, first, to preserve the manufacturing interest, and, secondly, to quiet the country. I believe the American system to be in the greatest danger; and I believe it can be placed on a better and safer foundation at this session than at the next. I heard with surprise, my friend from Massachusetts say, that nothing had occurred within the last six months to increase its hazard. I entreat him to review that opinton. Is it correct? Is the issue of numerous elections, including that of the highest officer of the government, nothing? Is the explicit recommendation of that officer, in his message, at the opening of the session, sustained, as he is, by a recent triumphant election, nothing? Is his declaration in his proclamation, that the burdens of the south ought to be relieved, nothing? Is the introduction of a bill into the house of representatives, during this session, sanctioned by the head of the treasury and the administration, prostrating the greater part of the manufactures of the country, nothing? Are the increasing discontents, nothing? Is the tendency of recent events to unite the whole south, nothing? What have we not witnessed in this chamber? Friends of the administration, bursting all the ties which seemed indissolubly to unite them to its chief, and, with few exceptions south of the Potomac, opposing, and vehemently opposing, a favorite measure of that administration, which three short months ago they contributed to establish? Let us not deceive ourselves. Now is the time to adjust the question, in a manner satisfactory to both parties. Put it off until the next session, and the alternative may and probably then would be a speedy and ruinous reduction of the tariff, or a civil war with the entire south.

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"I have been represented as the father of this system, and I am charged with an unnatural abandonment of my own offspring. I have never arrogated to myself any such intimate relation to it. I have, indeed, cherished it with parental fondness, and my affection is undiminished; but in what condition do I find this child? It is in the hands of the Philistines, who would strangle it. I fly to its rescue, to snatch it from their custody, and to place it on a bed of security and repose for nine years, where it may grow and strengthen, and become acceptable to the whole people. I behold a torch about being applied to a favorite edifice, and I would save it if possible before it is wrapt in flames, or at least preserve the precious furniture which it contains. I wish to see the tariff sep-

arated from the politics of the country, that business men may go to work in security, with some prospect of stability in our laws, and without everything being staked on the issue of elections, as it were on the hazards of the die."

It can not but be seen, that it is due to let Mr. Clay speak for himself on a subject of such moment at the time, and in which his reputation is so much concerned; for, to this day, there are some, among his political friends, who seem not to be fully convinced, that his course in bringing forward that great measure, and in availing himself of his influence to secure its adoption, was wise and beneficial. Such persons might well be asked, in all the light which time and events have cast upon the subject, what better could he have done? If this question could not easily be answered now, it is, doubtless, a very strong vindication of Mr. Clay. For, he who did best, having no other guide than future contingencies, arising out of the probabilities of the present, as determined by that future when surveyed as past, has realized the highest possible sanction of his conduct. There was also a very high sanction at the time in the approval of the great majority of the American people of all parties. Although it took the nation by surprise, yet, when the people had time to reflect upon it, Mr. Clay was triumphantly sustained. These impressions on the common sense of the people are of great weight as evidence. In Mr. Clay's eastern tour, in the autumn of 1833, it will be found, that nothing in his whole history so much recommended him to the gratitude of the people as this measure—that everywhere it was the constant theme of enthusiastic praise among all classes. This, as can not be denied, is a strong test. It also continued to be the subject of popular approbation, and has never ceased to be so, down to this time, under all the calamities through which the country has been doomed to pass. That same good sense which at first discovered the propriety, expediency, wisdom, and beneficence of the measure, was able to discern the causes in the administration of the government, and in the hostile measures of the national executive, which barred the best effects of the compromise law, and subverted its designs. The people did not, for such reasons, undervalue the services of Mr. Clay in originating the bill, and securing its adoption. They saw that the country had been saved from civil war; that everything had been done that could be done, in such circumstances, to rescue the protective system from hostile hands; that a favorable lease had been procured for it; that the compromise law had

very important conservative powers in it; and that the high regal prerogatives employed by General Jackson to disappoint its design, by violating its terms, by suppressing the land bill, breaking down the currency, and in various other ways, were the cause of all the evil that came upon the country, notwithstanding the existence of this beneficent measure. Mr. Clay, apparently, never lost any of the credit that was due to him for his efforts on that occasion, and for their immediate result.

That they who first opposed the measure, should still pretend to be as wise as they supposed they were then, is not perhaps very strange. Pride of opinion is a powerful principle, and men, especially statesmen, are usually reluctant to admit they have been in error. It was a risk of this kind, to wit, the probability of being obliged to encounter the opposition of friends, which Mr. Clay knew and predicted would be his misfortune, in bringing forward the compromise. It has, however, stood the test of time, and been sustained by the public voice, notwithstanding all the disadvantages it had to contend with, from the temper and course of the administration, during the term for which it was enacted.

Mr. Clay was no doubt much influenced by some significant symptoms of the time. He indeed confessed it openly in the senate. The elections of 1832 were regarded as sufficient to sustain General Jackson in anything he should please to do. He had proclaimed war against nullification, and would doubtless have persisted in subduing it; but he at the same time acknowledged that the south had been wronged, and that its wrongs ought to be redressed. Though South Carolina was alone in its ultra measures, she was sustained by a general sympathy in that quarter of the Union. Even the Old Dominion was ready to make common cause in a legitimate war on the tariff, and had deputed one of her most distinguished citizens to a conference with the authorities of South Carolina, with instructions to advise that state to suspend her opposition to the federal laws, no doubt with the understanding, that Virginia would join her in all lawful measures of opposition to the protective policy. Such was the general feeling of the south. It is remarkable also, that, in the zenith of General Jackson's popularity, this sympathy seemed to be extending itself over the Union, even in the north and east. The president would probably have succeeded, if driven to it, in putting down South Carolina by force, though it was an alternative of fearful import, if not of doubtful issue. But in that event, the atonement must in some measure

correspond with the severity of the course; and having clearly intimated, in his official communications to Congress and to the public, that the wrongs which the south complained of, ought to be redressed, it is not to be supposed, that anything less than a complete prostration of the protective system would have followed—a prostration from which it could hardly, if it could ever, recover. When would the nation be willing to re-enact a system of policy, which had cost a civil war? A sore spot it must have remained for ever. The evidence was abundant, that the tariff, as a protective measure, could not live another year, if left in the hands of the administration, and the nullifiers preferred to settle their difficulties with the friends of protection, rather than with General Jackson.

Are not such reasons of great force? It is evident that Mr. Clay felt, for he uttered them. Actuated by such powerful considerations, he almost plunged into the fire, to save a doomed victim. He at least risked much, and lost much—lost for the occasion, friends whom he loved, in bringing to his side heartless opponents, who, as soon as they found their own necks safe, would seek the first opportunity to turn against him; and so they did. All this he foresaw—knew; and yet he did not pause. The protective system, the country, demanded the risk, and, if need be, the sacrifice.

But, said Mr. Clay:—

"The objections of the honorable senator from Massachusetts are principally directed to the period beyond 1842. During the intermediate time, there is every reason to hope and believe that the bill secures adequate protection. All my information assures me of this; and it is demonstrated by the fact, that, if the measure of protection, secured prior to the thirty-first of December, 1841, were permanent; or if the bill were even silent beyond that period, it would command the cordial and unanimous concurrence of the friends of the policy. What then divides, what alarms us? It is what *may possibly* be the state of things in the year one thousand eight hundred and forty-two, or subsequently! Now, sir, even if that should be as bad as the most vivid imagination, or the most eloquent tongue could depict it, if we have intermediate safety and security, it does not seem to me wise to rush upon certain and present evils, because of those which, admitting their possibility, are very remote and contingent. What! shall we not extinguish the flame which is bursting through the roof that covers us, because, at some future and distant day, we may be again threatened with conflagration?

"I do not admit that this bill abandons or fails, by its provisions,

to secure reasonable protection beyond 1842. I can not know, I pretend not to know, what will then be the actual condition of this country, and of the manufacturing arts, and their relative condition to the rest of the world. I would as soon confide in the forecast of the honorable senator from Massachusetts, as in that of any other man in this senate, or in this country; but neither he, nor any one else, can tell what that condition will then be. The degree of protection which will be required for domestic industry beyond 1842, depends upon the reduction of wages, the accumulation of capital, the improvement in skill, the protection of machinery, and the cheapening of the price, at home, of essential articles, such as fuel, iron, and so forth. I do not think that the honorable senator can throw himself forward to 1842, and tell us what, in all these particulars, will be the state of this country, and its relative state to other countries. We know that, in all human probability, our numbers will be increased by an addition of one third, at least, to their present amount, and that may materially reduce wages. We have reason to believe that our capital will be augmented, our skill improved; and we know that great progress has been made, and is making, in machinery. There is a constant tendency to decrease in the price of iron and coal. The opening of new mines and new channels of communication, must continue to lower it. The successful introduction of the process of cooking, will have great effect. The price of these articles, one of the most opulent and intelligent manufacturing houses in this country assures me, is a principal cause of the present necessity of protection to the cotton interest; and that house is strongly inclined to think that twenty per centum, with the other advantages secured in this bill, may do beyond 1842. Then, sir, what effect may not convulsions and revolutions in Europe, if any should arise, produce? I am far from desiring them, that our country may profit by their occurrence. Her greatness and glory rest, I hope, upon a more solid and more generous basis. But we can not shut our eyes to the fact, that our greatest manufacturing, as well as commercial competitor, is undergoing a momentous political experiment, the issue of which is far from being absolutely certain. Who can raise the veil of the succeeding nine years, and show what, at their termination, will be the degree of competition which Great Britain can exercise toward us in the manufacturing arts?

"Suppose, in the progress of gradual descent toward the revenue standard for which this bill provides, it should some years hence become evident that further protection, beyond 1842, than that which it contemplates may be necessary, can it be doubted that in some form or other, it will be applied? Our misfortune has been, and yet is, that the public mind has been constantly kept in a state of feverish excitement, in respect to this system of policy. Conventions, elections, Congress, the public press, have been for

years all acting upon the tariff, and the tariff acting upon them all. Prejudices have been excited, passions kindled, and mutual irritations carried to the highest pitch of exasperation, insomuch that good feelings have been almost extinguished, and the voice of reason and experience silenced, among the members of the confederacy. Let us separate the tariff from the agitating politics of the country, place it upon a stable and firm foundation, and allow our enterprising countrymen to demonstrate to the whole Union, by their skilful and successful labors, the inappreciable value of the arts. If they can have what they have never yet enjoyed, some years of repose and tranquillity, they will make, silently, more converts to the policy, than would be made during a long period of anxious struggle and boisterous contention. Above all, I count upon the good effects resulting from a restoration of the harmony of this divided people, upon their good sense and their love of justice. Who can doubt, that when passions have subsided, and reason has resumed her empire, that there will be a disposition throughout the whole Union, to render ample justice to all its parts? Who will believe that any section of this great confederacy would look with indifference to the prostration of the interests of another section, by distant and selfish foreign nations, regardless alike of the welfare of us all? No, sir; I have no fears beyond 1842. The people of the United States are brethren, made to love and respect each other. Momentary causes may seem to alienate them, but, like family differences, they will terminate in a closer and more affectionate union than ever. And how much more estimable will be a system of protection, based on common conviction and common consent, and planted in the bosoms of all, than one wrenched by power from reluctant and protesting weakness?

"That such a system will be adopted, if it should be necessary for the period of time subsequent to 1842, I will not doubt. But, in the scheme which I originally proposed, I did not rely exclusively, great as my reliance is, upon the operation of fraternal feelings, the return of reason, and a sense of justice. The scheme contained an appeal to the interests of the south. According to it, unmanufactured cotton was to be a free article after 1842. Gentlemen from that quarter have again and again asserted that they were indifferent to the duty of three cents per pound on cotton, and that they feared no foreign competition. I have thought otherwise; but I was willing, by way of experiment, to take them at their word; not that I was opposed to the protection of cotton, but I believed that a few cargoes of foreign cotton introduced into our northern ports, free of duty, would hasten our southern friends to come here and ask that protection for their great staple, which is wanted in other sections for their interests. That feature in the scheme was stricken out in the select committee, but not by the

consent of my friend from Delaware [Mr. Clayton] or myself. Still, after 1842, the south may want protection for sugar, for tobacco, for Virginia coal, perhaps for cotton and other articles, while other quarters may need it for wool, woollens, iron, and cotton fabrics; and these mutual wants, if they should exist, will lead, I hope, to some amicable adjustment of a tariff for that distant period, satisfactory to all. The theory of protection supposes, too, that after a certain time, the protected arts will have acquired such strength and perfection as will enable them subsequently, unaided, to stand up against foreign competition. If, as I have no doubt, this should prove to be correct, it will, on the arrival of 1842, encourage all parts of the Union to consent to the continuance of longer protection to the few articles which may then require it."

It may be observed, that the remark of Mr. Clay above, as to what "the theory of protection supposes," is apparently in conflict with the doctrine announced at the opening of chapter six, of this volume, to wit, that universal free trade, by general consent of all nations, including the United States, would be destructive of American freedom. Mr. Clay may be right, if he meant all he appears to say in that sentence, and the author may be wrong in the doctrine he has advanced, and endeavored to explain, in the place referred to. Or, possibly, Mr. Clay intends merely to announce a common opinion, or a proposition usually taken for granted, without being responsible for it. It doubtless has been a prevalent opinion, and is so yet. The question involved in it, as presented by the author, has in fact, as he supposes, never been debated; but, as he sincerely believes in the doctrine he has ventured to propound, and regards it as one which, at a future time, will become of great practical importance, he has thought proper to state it. He indeed thinks it of great importance now, and that, if it were understood, it would at once and for ever settle the controversy regarding the protective policy in the United States.

It will be recognised, the moment it is mentioned, that many persons have dwelt on the facts, and on those relations which combine the elements of this doctrine, and in speaking of them, have maintained, that freedom was concerned in the protective policy. Statesmen have seen it, felt it, and talked about it eloquently; and yet it does not appear, that the doctrine has been reduced to form —that the pivot on which it rests has been pointed out. It lies in the difference between that state of political society which secures to labor a fair compensation, and that which robs labor of its fair reward. The doctrine which grows out of this difference is, that

the labor of the former state of society must be protected against the effects of the labor of the latter, considered as it is wielded by those who deprive it of compensation, and appropriate it to themselves. This labor, thus wronged, is employed by its oppressors, as a power—a tremendous agent to enslave the masses of mankind. This is the reason why American labor will for ever require protection against such an agency, so long as the present state of society exists in Europe, or in other parts of the world, with which the United States have commercial intercourse. The theory of protection, therefore, as above stated by Mr. Clay, and as usually stated, to wit, that, "after a certain time, the protected arts will have acquired such strength and perfection as will enable them subsequently, unaided, to stand up against foreign competition," is obviously in conflict with this doctrine. If this doctrine is sound, this theory is unsound. In other words, although the theory may answer a temporary purpose, or be innocent, the time must come when it will be insufficient—when it will be found, that American labor must be protected under any circumstances, or freedom be lost.

It can not but be observed, that the debate on the protective policy has often approached this point, touched it, handled it, although, possibly, it did not distinctly understand what it was handling. Instinct often arrives at truth before reason does, and independent of reason. "The pauper labor of Europe," has been in everybody's mouth, and that, as opposed to American labor, involving the relation of the two, suggests and comprehends the doctrine which the author has thought incumbent on him to propound. And he thinks there is an advantage in it, because it reduces the question regarding the protective policy to a point, from which, when it shall be understood, there will be no possibility of escape, and which will operate with irresistible energy on the masses of the American people. When once they shall see, that freedom is at stake on the free trade platform; that, by going upon that, they put themselves in the power of European and other foreign oppressors, who live and riot on the enslaved condition of human labor, it will no longer be difficult to secure their suffrages for those who understand their rights, and will protect them.

The fact, that the substance of this doctrine has been, for so many years and so often, used in argument, by politicians and statesmen—and the fact, that the idea that "the pauper labor of Europe," brought into competition with American labor, invades

and impairs the rights of the latter—have taken so strong a hold of a very large portion of the laboring classes of the United States and are instinctively felt by them, as matters in which they are deeply concerned—are strong presumptive evidence, that the doctrine is not without foundation. It is manifest, that politicians and statesman have long had this idea in their heads, though perhaps not in a definite shape. It is not less manifest, that no inconsiderable fraction of the common mind is possessed of it. It only remains that the doctrine should be made palpable—that the plainest man should be able, forced to see, that "the pauper labor of Europe," and of other foreign parts, as an agency in the hands of oppressors, is hostile to the labor of American freemen; that the two things can never subsist together on the same platform; that, on the principles of free trade, one must yield to the other; that, in such a conflict, American labor will inevitably be deprived of its rights; and then the whole controversy, as a political question, is for ever decided.

The power of foreign pauper labor over the labor of American freemen, is not vested in itself, but in the arm of its oppressors. It is a mere agent of the latter. Nor can that power be abated, except by a change of political society in those quarters, for the emancipation of labor. So long as political society is the same there, and the same here, there can never be a time when "the protected arts" in the United States, "shall have acquired such strength and perfection as will enable them subsequently, unaided, to stand up against foreign competition." No matter what strength, no matter what perfection, they may acquire, they will never be strong enough, never perfect enough, to employ free labor at a fair price, in a field of competition with the same arts worked by forced labor at a price which barely supports existence.

But to return to the position occupied by Mr. Clay, in the support of the compromise tariff. It was objected to by the advocates of the protective policy, because it was obtaining the concurrence of the opponents of that policy, Mr. Calhoun and others. What was the use of a compromise—how could any measure be of that character—if it did not tend to bring those who occupied extremes nearer together—on common ground? It was impossible that both parties should occupy their respective positions, and yet come together. Mutual concessions were necessarily implied in a compromise. The objection was founded on a fact, which ought to remove all objections, so that the concessions were fairly made

by each party. It should not have been surprising, if the nullifiers, whose heads, under the proclamation of General Jackson, were not safe on their shoulders, had sought protection under any compromise, having sufficient appearances of concession from their opponents to justify their own self-respect. That they were willing to come over, to unite in a healing measure, was rather a subject of gratulation, than a just occasion of opposition. Mr. Clay very justly remarked, that the proposed measure should rather be judged by its nature, than by those who might happen to vote for it.

The bill to enforce the federal laws in South Carolina, had passed, whereby the rights of the general government, and its position in this matter, were duly asserted. The government having taken this ground, was it not due to the Union, and to humanity, to hold out the olive branch? The contingent prospects and results of a collision, were fearful to contemplate. The enforcing bill vindicated authority; the compromise extended the hand of conciliation.

Mr. Clay concluded his speech on this occasion, as follows:—

"There are some who say, let the tariff go down; let our manufactures be prostrated, if such be the pleasure, at another session, of those to whose hands the government of this country is confided; let bankruptcy and ruin be spread over the land; and let resistance to the laws, at all hazards, be subdued. Sir, they take counsel from their passions. They anticipate a terrible reaction from the downfall of the tariff, which would ultimately re-establish it upon a firmer basis than ever. But it is these very agitations, these mutual irritations between brethren of the same family, it is the individual distress and general ruin that would necessarily follow the overthrow of the tariff, that ought, if possible, to be prevented. Besides, are we certain of this reaction? Have we not been disappointed in it as to other measures heretofore? But suppose, after a long and embittered struggle, it should come, in what relative condition would it find the parts of this confederacy? In what state our ruined manufactures? When they should be laid low, who, amid the fragments of the general wreck, scattered over the face of the land, would have courage to engage in fresh enterprises, under a new pledge of the violated faith of the government? If we adjourn, without passing this bill, having intrusted the executive with vast powers to maintain the laws, should he be able by the next session to put down all opposition to them, will he not, as a necessary consequence of success, have more power than ever to put down the tariff also? Has he not said that the south is oppressed, and its burdens ought to be relieved? And will he not feel himself bound, after he

shall have triumphed, if triumph he may in a civil war, to appease the discontents of the south by a modification of the tariff, in conformity with its wishes and demands? No, sir; no, sir; let us save the country from the most dreadful of all calamities, and let us save its industry, too, from threatened destruction. Statesmen should regulate their conduct and adapt their measures to the exigencies of the times in which they live. They can not, indeed, transcend the limits of the constitutional rule; but with respect to those symptoms of policy which fall within its scope, they should arrange them according to the interests, the wants, and the prejudices of the people. Two great dangers threaten the public safety. The true patriot will not stop to inquire how they have been brought about, but will fly to the deliverance of his country. The difference between the friends and the foes of the compromise, under consideration, is, that they would, in the enforcing act, send forth alone a flaming sword. We would send out that also, but along with it the olive branch, as a messenger of peace. They cry out, the law! the law! the law! Power! power! power! We, too, reverence the law, and bow to the supremacy of its obligation; but we are in favor of the law executed in mildness, and of power tempered with mercy. They, as we think, would hazard a civil commotion, beginning in South Carolina, and extending, God only knows where. While we would vindicate the federal government, we are for peace, if possible, union, and liberty. We want no war—above all, no civil war; no family strife. We want to see no sacked cities, no desolated fields, no smoking ruins, no streams of American blood shed by American arms!

"I have been accused of ambition in presenting this measure. Ambition! inordinate ambition! If I had thought of myself only, I should have never brought it forward. I know well the perils to which I expose myself: the risk of alienating faithful and valued friends, with but little prospect of making new ones, if any new ones could compensate for the loss of those whom we have long tried and loved, and the honest misconceptions both of friends and foes. Ambition! If I had listened to its soft and seducing whispers; if I had yielded myself to the dictates of a cold, calculating, and prudential policy, I would have stood still and unmoved. I might even have silently gazed on the raging storm, enjoyed its loudest thunders, and left those who are charged with the care of the vessel of state, to conduct it as they could. I have been heretofore often unjustly accused of ambition. Low, grovelling souls, who are utterly incapable of elevating themselves to the higher and nobler duties of pure patriotism—beings, who, for ever keeping their own selfish aims in view, decide all public measures by their presumed influence on their aggrandizement—judge me by the venal rule which they prescribe to themselves.

I have given to the winds these false accusations, as I consign that which now impeaches my motives. I have no desire for office, not even the highest. The most exalted is but a prison, in which the incarcerated incumbent daily receives his cold, heartless visitants, marks his weary hours, and is cut off from the practical enjoyment of all the blessings of genuine freedom. I am no candidate for any office in the gift of the people of these states, united or separated; I never wish, never expect to be. Pass this bill, tranquillize the country, restore confidence and affection in the union, and I am willing to go home to Ashland, and renounce public service for ever. I should there find, in its groves, under its shades, on its lawns, amid my flocks and herds, in the bosom of my family, sincerity and truth, attachment, and fidelity, and gratitude, which I have not always found in the walks of public life. Yes, I have ambition; but it is the ambition of being the humble instrument, in the hands of Providence, to reconcile a divided people—once more to revive concord and harmony in a distracted land—the pleasing ambition of contemplating the glorious spectacle of a free, united, prosperous, and fraternal people!"

If any reasonable man looks at the position of the protective policy at the moment of this debate, between the fires of nullification in the south and the aims of the administration bill then pending in the house of representatives—if he considers the exasperating proclamation of the president, from which he was the last man to retreat, and yet must atone for it by concessions on the tariff, or plunge the whole country in a civil war—if it be borne in mind, that the force bill, to suppress nullification, had already become a law—that the whole country, and all parties concerned, were in a state of perilous excitement, in the midst of magazines which one spark might explode, who can say, that the man who boldly walked up to quench the lighted matches, to throw oil on this troubled sea, and compose it to a calm, was not deserving of a nation's gratitude? Who could claim, that he should save all, when all was on the brink of ruin? Who could fairly demand, that he should restore things AS THEY WERE? All he pretended, or offered, was a healing COMPROMISE; and who does not know, that a compromise is not the settlement of a difference all in favor of one party?

This bill was passed by the astonishing majority—astonishing for the relative strength of parties—of 120 to 84 in the house, and 29 to 16 in the senate, was approved by the president, and the country was pacified. From the verge of civil war and a dissolution of the Union, it was brought back, and re-established firmly

on the platform of the constitution, and the protective policy, which could never, in any human probability, have lived through another sesssion of Congress, was SAVED.

In justice to Mr. Clay, it is required to be noticed, so far as respects the subsequent operation of the compromise act, that one essential element and substantive part of his plan, in the device and formation of this measure, was the public land bill then pending, which was expected to pass, and did pass both houses of Congress, and which was not expected to meet with any obstacle from the president, as his faith was virtually pledged to sanction it in his previous annual message. The violation of that pledge in pocketing the bill, and returning it to the next Congress a dead letter, disarmed the compromise act of one important element of its efficacy and power. If the proceeds of the public lands had been pledged to the states, as that bill contemplated, the diversion of that amount from the national treasury, from that time, with its prospective influences, would have brought the principles of the compromise law to act more efficiently on the general government, forcing it, under a proper sense of its responsibility, to provide an adequate revenue, in the manner prescribed by the compromise, and thereby more effectually to maintain the protective policy. The failure of this was not the fault of Mr. Clay—for it was as much a part of his plan, as if it had been a part of the compromise act; and it would no doubt have been incorporated with that bill, if there had been the least suspicion of General Jackson's want of fidelity. It was also hoped, that the federal government would return at an earlier period to a proper care of the interests of the great commonwealth, and not let the currency be dried up, by drying up its sources, till the pockets of the people, and the treasury of the nation, were all empty. But this failing of duty on the part of government, and its obstinate perseverance in a ruinous policy, forcing the compromise act to go halting to the end of its term without the aid of the land bill, only proves, that a part of the plan of Mr. Clay, in being compelled to discharge the functions of the whole as well as it could, was all the more important as the sole stay and shield of the protective policy.

Mr. Clay, in his first speech on the sub-treasury, of September 25, 1837, alludes to this feature in the history of the operation of the compromise act, as follows:—

"A subordinate, but not unimportant cause of the evils which at present encompass us, has been the course of the late adminis-

tration [General Jackson's] toward the compromise act. The great principle of that act, in respect to our domestic industry, was its stability. It was intended and hoped, that, by withdrawing the tariff from their annual discussions in Congress, of which it had been the fruitful topic, our manufactures would have a certainty, for a long period, as to the measure of protection extended to them by its provisions, which would compensate any reduction in the amount contained in prior acts. For a year or two after it was adopted, the late administration manifested a disposition to respect it, as an arrangement which was to be inviolable. But for some time past it has been constantly threatened from that quarter, and a settled purpose has been displayed to disregard its conditions."

Also: "If the land bill had been allowed to go into operation, it would have distributed generally and regularly among the several states the proceeds of the public lands, as they would have been received from time to time. They would have returned back in small streams, similar to those by which they have been collected, animating, and improving, and fructifying the whole country. There would have been no vast surplus to embarrass the government—no removal of deposites from the bank of the United States to the deposite banks, to disturb the business of the country—no accumulations in the deposite banks of immense sums of public money, augmented by the circuit it was performing between the land offices and the banks, and the banks and the land offices—no occasion for the secretary of the treasury to lash the deposite banks into the grant of inordinate accommodations, and possibly there would have been no suspension of specie payments. But that bill was suppressed by a most extraordinary and dangerous exercise of executive power."

When Mr. Clay was taunted by Mr. Calhoun, on the floor of the senate, in 1840, as having been laid "flat on his back" by him (Mr. Calhoun), in the matter of the compromise, and "robbed by another senator and the president," Mr. Clay said:—

"Sir, what was the case? I introduced the compromise in spite of the opposition of the gentleman who is said to have robbed me of the manufactures. It met his uncompromising opposition. That measure had, on my part, nothing personal in it. But I saw the condition of the senator from South Carolina and his friends. They had reduced South Carolina by that unwise measure (of nullification), to a state of war, and I, therefore, wished to save the effusion of human blood, and especially the blood of our fellow-citizens. That was one motive with me; and another was a regard for that very interest which the senator says I helped to destroy. I saw that this great interest had so got in the power of the chief magistrate, that it was evident, that, at the next session of Congress, the whole protective system would be swept by the board. I therefore

desired to give it, at least. a lease of years; and for that purpose, I, in concert with others, brought forward that measure, which was necessary to save that interest from total annihilation."

But the grand result is the best of all vindications. What human eye could see through the difficulties the country was placed in, when the compromise bill was brought forward? What American patriot, before the adjustment of that controversy, could gaze on the dubious prospect, and not be dismayed? But, behold, what a charm was wrought!

The extracts, in the note below, from a speech of the Hon. John M. Clayton, delivered at Wilmington, Delaware, June 15, 1844, are deemed pertinent here.*

* "I was in the senate at the time of the passage of the compromise act, was a member of the committee which reported it, and had the best possible opportunity of knowing the motives and objects of Mr. Clay, in the introduction and passage of that measure. His aim was not only to prevent a civil war and the dissolution of the Union, but to *save the protective policy*. I am convinced that, but for the passage of that act, the protective system would have been substantially repealed, more than ten years ago, and every manufacturer in the country dependent upon it stricken down. * * * * * * * *

"It is quite a common error, that the act itself proposes a *horizontal tariff* of 20 per cent. on all articles of importation, as the maximum rate of duties, and the final resting-place at which the reduction of duties proposed by the act shall cease, and stand unchanged and unchangeable for ever. At this day, gentlemen of intelligence, professing to understand and discuss the legal effect of this, often speak of it as a law, the great object of which was, by a system of gradual diminution, to reduce the duties as they stood under the act of 1832, to a universal levy of 20 per cent. at the expiration of nine years and four months. In other words, they regarded the compromise act as fixing one rate for all dutiable articles from and after the 30th of June, 1842—that rate being 20 per cent. ad valorem—and as containing certain binding stipulations or pledges on the part of the authors of that law, that no higher rate of duty should ever after that day be collected by the general government. This supposition, preposterous as it is, you have doubtless observed, is an opinion quite commonly expressed, and that, too, not unfrequently by grave legislators on the floor of Congress. That the enemies of Mr. Clay should have so expressed themselves, is matter to be regretted; but when the friends of the tariff, and the very men who profess the utmost confidence in the rectitude and consistency of that great statesman, fall into the same error, it is high time the mistake should be corrected.

"It is perfectly true, that the first section of the act fixes 20 per cent. ad valorem, as the highest rate at which dutiable articles should be admitted, after the 30th of June, 1842; but the third section of the act provides that, from and after that day, 'duties upon imports shall be laid for the purpose of raising such revenue as may be necessary to an economical administration of the government;' and also that such duties shall be assessed on the *home valuation* and *payable in cash*. The leading principles established by the act were, first, that after the 30th of June, 1842, a sufficient revenue should be raised from the import duties *alone* to defray the expenses of the government; secondly, that no more revenue should be so collected than should be demanded by an economical administration of the government; thirdly, that the best possible guards against frauds on the tariff should be established by the adoption of the new system of assessing the duties on the *home*, instead of the *foreign* value, and making those duties payable in cash. Whether these duties, from which all the revenue for the support of government was to be derived, should be fixed at 20 per cent., or at 50 per cent., or at any other rate, was, of course, a subject left for the future consideration and action of Congress, whenever it should be discovered that the maximum rate of 20 per cent., adopted by the first section of the bill, was insufficient for the support of government. Nothing was further from the intention of those who passed this law than to at-

The following extracts from Niles's Register, vol. xliv., page 6, are a species of independent evidence, from a reporter in Congress, as to the position and objects of Mr. Clay, in originating and sustaining the compromise act:—

"Mr. Dallas then moved to amend the amendment, as made in committee of the whole, in the third section, by striking out the

tempt to prevent future legislation, discriminating with a view to protect home labor, in the contingency of a defect of revenue from duties of 20 per cent. I have ever regarded the tariff passed by the Congress of 1842, as a substantial compliance, in most respects, with this pledge in the compromise act, with this exception only: that law, while it levies duties on imports to support the government, looks to the proceeds of the sales of the public lands as an auxiliary for that purpose; while the compromise act gave to me, as I thought when I voted for it, and to every friend of the protective system, at the same time a solemn assurance, that, after the 30th of June, 1842, the land fund should cease to be regarded as a source of revenue, and that all the real wants of the government should be supplied exclusively from duties on imports, assessed so as to prevent frauds, and payable in cash.

"To understand this subject, as it was really understood by those friends with whom I acted in the passage of the compromise act, it is necessary to recur to some other proceedings cotemporaneous with it. Mr. Clay's bill to distribute the proceeds of the sales of the public lands among the states, which passed both houses of Congress about the same time with the compromise itself, was by us regarded *as part and parcel of one great revenue and financial system*, which we desired to establish for the benefit of the whole country. While temporarily surrendering the land fund to the states, to which it rightfully belonged, in the judgment of the Congress of 1833, we provided, in the compromise act, that there should be a day fixed, at which, in accordance with a suggestion previously made by General Jackson himself, the land fund should for ever cease to be regarded as a source of revenue by the general government. It is true, that we should have acted more wisely, as the event proved, by incorporating the provisions of a distribution bill in the compromise itself. But who could have supposed, at that day, that President Jackson would have vetoed a bill which carried out his own suggestion? Nevertheless, he defeated that great and salutary measure of distribution, by means which no end can ever justify. He refused to return the bill with his objections to the house in which it originated—unquestionably because he had reason to believe, that, had he complied with this, his constitutional duty, each branch of Congress stood ready, by a vote of two thirds, to make the bill a law, in spite of his veto.

"I have said, that the tariff of 1842 is, in my view, a substantial compliance, in most respects, with the principles of the compromise act, and the pledges given in that act on the subject of the regulation of duties from and after the 30th of June, 1842. But it was not a compliance in all respects. In my humble judgment, had the tariff of 1842 been passed strictly in the spirit of the compromise itself, it would have been a better tariff for protection than the law now in force. It would have better guarded the revenue against frauds in the foreign valuation; and it would more effectually have checked excessive importation, which is one of the greatest curses of our country. The distribution of the land fund among the states, contemplated by the compromise, and temporarily provided for by the land bill, would have put an end to the agitation of the question of protection for ever; and the principle avowed and sustained by Mr. Clay, that, in laying duties for revenue, discrimination should always be made in favor of protection, as an incident to revenue, would have been *the settled doctrine of the country*.

"To show that this opinion is well founded, let us suppose that Congress, on the 30th of June, 1842, had resolved to make a tariff strictly in pursuance of the compromise. The latter directed, that, *after that day*, and not until after that day, duties should descend by a rapid reduction, not of 10 per cent., but of *the last half of the whole excess* above 20 per cent. left after the 31st of December, 1839, and that reduction be 20 per cent. on the home value of the imports, unless at that time, the revenue from that rate of duty should be inadequate to support the administration of the government. Now how stood the facts on that day? We

words *which suggest the* POINT *to which the duties shall be ultimately reduced*, to be the 'revenue necessary to an economical administration of the government.'

"A discussion took place on this motion, in which it was con-

had actually incurred a national debt of more than $20,000,000, at that very time, under the operation of a higher tariff than 20 per cent., and that, too, with the aid of all the land fund, and bank stocks and bank dividends besides. Our revenue had sunk so low that the credit of the nation was, at that very moment, in the most deplorable condition. We had borrowed on that credit till foreigners would not lend us another dollar, and in our own market the six per cent. certificates of the loan redeemable in twenty years, could not be sold to any considerable amount for anything like their par value. We had approached the very verge of national bankruptcy. The depressed state of public credit was one of the contingencies anticipated by the friends of Mr. Clay, at the passage of the compromise, and we now *know we were right*. We foresaw that the duties never could descend to 20 per cent., if that pledge to raise the duties to the standard of the wants of the government, given in the act, should be fulfilled; and our hope—our belief was that before they could descend, by the operation of the law, to 20 per cent., men of all parties, seeing that the government could not be supported on that principle, would confess old errors, and join with us, under happier auspices, in so adjusting the tariff, as that, while the wants of government would be supplied from import duties, ample protection, as incident to the revenue, would be freely accorded to us without further strife. If, then, Congress had, at that time, raised the duties to the standard then fixed by the compromise, we should have had a tariff which would more effectually have protected home labor than the act of 1842; because, although the duties would have been for revenue, with only *incidental* protection (the very principle of the act of 1833), yet those duties, without the aid of other sources of revenue, *would have been still higher than those of* 1842, and their collection far better guarded against frauds.

"But the compromise act caused a gradual reduction of duties until the 30th of June, 1842, and the question remains to be answered, Why did the friends of protection to home labor consent to such a reduction even for a limited period?

"The answer might be a very short one. Under the circumstances in which we were then placed, it was palpable to the minds of those who voted for the compromise that, unless we accepted that, we should have to submit to the speedy destruction of the whole manufacturing interest. But it is due to the subject, that, in answer to this question, the circumstances to which I have alluded should be briefly explained. At the time of the passage of this law, the violent opposition of many of our fellow-citizens in the south, and of not a few elsewhere, to the whole protective policy, was unparalleled in the history of this country. South Carolina, by her ordinance of nullification, had openly defied the general government, and had resolved that no duties should be collected within her limits. It is easy, at this day, after the storm has passed over, to speak of her resistance as a thing which could have been easily crushed by the exhibition of a little firmness. I never doubted, nor do I believe that Mr. Clay or any of his friends ever doubted, that the power of this government was amply sufficient to enforce for the time the collection of the duties on imports, in despite of all the threatened hostility of South Carolina, and all other enemies of the protective policy. But it is due to truth to say, that at that time South Carolina had many sympathizers, and not a few adherents, in other parts of the country. We were every day in danger of a collision which might terminate in bloodshed; and in that event any man, tolerably acquainted with the American character, could anticipate, quite as well as I can now describe, the imminent danger of a protracted and bloody contest, which, if it did not endanger the Union, as I firmly believe it would have done, must have rendered the protective system hateful to our countrymen, as the exciting cause of a civil war, and incapable of being maintained, except by the butchery of American citizens by American hands. I never did, and do not now, believe that any such system can be long maintained in a government like ours, if it can not be upheld without a civil war. The friends of the compromise, in the firm belief that the protective policy was entitled to the confidence and support of the American people, and would grow up and establish itself in their affections, if a violent civil strife could be avoided, desired, of all things, time—time for reason to resume her empire—time for the violent passions of men, then inflamed to the very

tended by Messrs. Webster, Dallas, Dickerson, and Buckner, that these words, ALTHOUGH NOT SO INTENDED, *might* be construed by SOUTHERN gentlemen, in 1842, *as an abandonment of the protective principle*, and a design on the part of those who had introduced

verge of insanity, to subside; and they consented to a gradual reduction of duties for a limited period, with a view to the ultimate safety of the protective principle itself, as well as to avert the horrors of a civil conflict, and to save the excited and deluded men who were rushing into these extremities, from the consequences of their own folly. In the midst of all these considerations, then pressing upon the attention of the friends of protection, there was another staring us in the face which is too often forgotten or overlooked. At the very commencement of the session of that Congress which passed the act, President Jackson, in his annual message, threw off the cloak of a 'judicious tariff,' and openly arrayed the whole power of the executive against the protective system. Then, for the first time, we heard from him the declaration, that, 'experience, our best guide on this as on other subjects, made it doubtful whether the advantages of this system are not counterbalanced by many evils, and whether it did not tend to beget, in the minds of a large portion of our countrymen, a spirit of discontent and jealousy, *dangerous to the stability of the Union*;' that 'a tariff designed for perpetual protection had entered into the minds of but few of our statesmen, and that the most they had anticipated was a temporary protection;' and that 'those who took an enlarged view of the condition of our country, must be satisfied that the policy of protection must be ultimately limited to those articles of domestic *manufacture* which are indispensable to our safety in time of war.'

"These and many other declarations against the existing tariff, in the president's annual message, almost instantaneously arrayed the mass of his party against the protective policy throughout the whole country. It required no gifted seer to predict its fate, if some conciliatory measure were not speedily adopted by its friends to allay the existing excitement. The president's message against the tariff was communicated to Congress, at that session, on the fourth of December; and with such expedition did his party in the house of representatives act on that occasion, in pursuance of his suggestions, that on the 28th of the same month, the committee of ways and means reported a bill to repeal the existing tariff, and in lieu thereof, to collect a revenue of but $12,500,000 by all imposts on foreign merchandise, the average duty on which, as proposed by the bill, was about 15 per per cent., and that, to be assessed on the *foreign valuation*. This bill, which has sometimes been called *Mr. Verplanck's bill*, but which was really a measure emanating from the executive, was actually far advanced on its passage in the house, at the time the compromise was under consideration in the senate, and its final passage in the house was no longer problematical. It was a measure which, if successful, could not fail to prove an immediate death-blow to the whole protective policy. Its passage had been forced through the committee of the whole on the state of the Union, after an ineffectual effort by the friends of American industry to impede its progress; when, on the 23d of February, 1833, the friends of protection in the senate made the last effort in their power to arrest its downward tendency, and to stay, for as long a time as possible, the hand which was extended for its destruction. At that critical moment, the question for them to consider was *not merely how much protection was necessary for home labor, but how much of it could be saved*. The bill in the house, backed as it was by the power of the executive, and the public sentiment in its favor daily increasing, in consequence of the president's denunciations of the then existing tariff, might be temporarily arrested by the action of a few senators; but those very few senators saw, that unless some compromise could be effected, while they retained their slender and very precarious majority in the senate, the ultimate triumph of the destructive system, and that, too, at no distant day, was inevitable.

"Time can never efface my vivid remembrance of the anxious responsibility felt by myself, and those who acted with me at that moment. * * * I then thought, and still think, that the mighty effort of Mr. Clay on that occasion to save his favorite measure from the danger which threatened it from every quarter, was the most triumphant act of his life.

"After a most exciting debate on the merits of the bill, a great part of which was never published, in consequence of the feeling into which friends had been betrayed, who had always, before that, acted together on this subject, the question

this bill, to make *revenue alone* the standard of all future duties in imports.

"Mr. Clayton and Mr. Clay regarded the language as AUTHORIZING NO SUCH CONSTRUCTION, and denied that ANY ONE would

was taken on the engrossment of the bill, on the night of Saturday, the 23d of February, 1833, and it was ordered to a third reading in the senate by an overwhelming majority. At this stage, we arrested further proceedings in the senate, in consequence of the constitutional difficulty of *originating* a revenue bill in that body. But we had secured our object, by thus indicating to the house the measure to which we were disposed to accede. On the Monday following, being the 25th of February, a successful motion was made in the house to strike out the whole of Mr. Verplanck's bill, and substitute the compromise in lieu of it. The bill thus amended was ordered to be engrossed for a third reading on the same day, and shortly after became the law of the land.

"It is too late now, after the experience the nation has had of General Jackson's influence while president, to pretend that it was not in his power in 1833 to have crushed the protective policy. His party was in the zenith of its power. He vetoed the bank bill in July, 1832, and, within six months after that, he made war on the tariff. Can any reasonable man doubt what would have been its fate, if Henry Clay, with all the affection of a parent for the protective policy, had not rescued it from destruction by the compromise act of the 2d of March, 1833? But for the interposition of Mr. Clay, the passage of the bill reported by the committee of ways and means in the house, would, at no very distant day, have been inevitable. What might have been the fate of the Union, I leave others to conjecture. My business now is with the tariff alone, and I confine myself to that.

"Henry Clay was at the head of the committee which reported the compromise act. James K. Polk, of Tennessee, was at the tail of the committee of ways and means in the house, which reported the bill to which I have referred. To understand Mr. Polk, it is now necessary to understand that bill. Although he was the last-named member on that committee, and in the rear of the column which attacked the tariff, there was no more thorough-going, no more denunciatory enemy of the protective policy, than James K. Polk. But let us try him by the bill which he and his colleagues on that committee reported, and by his votes, as they stand recorded on the journals of Congress against the protective policy. This bill, which will be found to be the 14th document in the volume of reports of committees, at the second session of the twenty-second Congress, reduces the duties on the 2d March, 1835, as follows—all assessable, be it remembered, *on the foreign valuation:* On *woollens*, to 15 per cent.; on all not exceeding 35 cents the square yard, 5 per cent.; on worsted stuff goods of all kinds, 10 per cent.; on worsted and woollen hosiery, gloves, nets, bindings, and stockinets, 10 per cent.; on all other cloths, merino shawls, flannels, baizes and cassimeres, carpetings and rugs of all kinds, 20 per cent.; on clothing, ready made, of all descriptions, 20 per cent.; on all *cotton goods*, 20 per cent., except Nankins from India, on which Mr. Polk's duty was 15 per cent.; and cotton hosiery, gloves, mitts, and stockinets, on which his duty was 10 per cent.; as well as upon cotton twist, yarn, and thread; on all manufactures of *flax and hemp*, or sail-duck and cotton-bagging, 15 per cent.; on all manufactures of tin, japanning, gilt, plated, brass, and polished steel, 20 per cent.; on common saddlery, 10 per cent.; on earthen and stone ware, 20 per cent.; on all side and fire arms, rifles and muskets, 20 per cent.; bridle-bits and glass-ware, 20 per cent.; on manufactures of iron and steel generally, a duty of 20 per cent.; on salt and coal, 5 per cent.; on everything produced by the farmer in the middle and northern states, Mr. Polk, who is a cotton-grower, recommended, in this bill, one unvarying standard of only 15 per cent.; 15 per cent. on potatoes; 15 pet cent. on oats; 15 per cent. on wheat and wheat-flour, butter, bacon, beef, and pork.

"Such was the character of that bill, from the passage of which Henry Clay saved the country by the adoption of the compromise. Had a tornado passed over all the manufacturing establishments of the country at that time, it would scarcely have proved a greater curse than that measure, which had the earnest support of Mr. James K. Polk, of Tennessee. By reducing the duty on wool to 15 per cent., it put the knife to the throat of every sheep in the country. By a duty of 20 per cent. on ready-made clothing of all descriptions, it struck down a whole class of the most industrious and useful mechanics of the nation. If it had been a bill

be justified in inferring that there was to be ANY abandonment of the system of protection. It was insisted by Mr. Clayton, *that the government could not be kept together, if the principle of protection were to be discarded in our policy;* and he declared THAT HE

purposely designed to set fire to most of the mechanic shops in the country, it would hardly have had a worse effect upon the laboring classes. It would have fed us on potatoes from Ireland; and, at those periods when the farmers of the middle and northern states were suffering most from the pressure of the times, our bread-stuffs would have been grown on the borders of the Baltic and the Black sea, instead of on our own soil.

"Search the records of Congress, and you will find that, in every instance where the American system was attacked, while he was in Congress, he was its assailant, its constant and uncompromising foe. On the 23d of June, 1832, he voted for the motion of Mr. McDuffie, of South Carolina, to reduce the duty on cotton goods, costing not exceeding fifteen cents the square yard, to 12½ per cent. ad valorem. On the same day, he voted for Mr. McDuffie's motion to abolish the duty of $30 per ton on rolled iron. On the previous day, he voted to reduce the duty on salt to 5 cents on 56 lbs., and voted against the duty on boots and bootees, on cabinet wares, hats and caps, whips, bridles, saddles, carriages and parts of carriages, blank books, earthen and stone wares, and manufactures of marble; and also against the duty on wool.

"On the 28th day of February, 1834, within one year after the passage of the compromise, Mr. Hall, of North Carolina, in the house of representatives of the United States, introduced a resolution, the object of which was to procure from the committee of ways and means a report of a plan, accompanied by a bill to repeal the protection guarantied by the compromise, under the pretext of immediately reducing the revenue to the necessary expenses of the government; and James K. Polk, of Tennessee, who was at that time the chairman of that very committee of ways and means, voted for that resolution. There were 69 yeas in favor of that resolution, and 115 nays against it. In voting for the resolution, the deliberate design of which was to violate all the pledges given in the compromise, Mr. Polk was backed by six of the nine members of that same committee, and by all the nullifiers and ultra anti-tariff men in the house. This movement shows the dissatisfaction with the compromise cherished at an early period by the enemies of protection. They were sensible that Mr. Clay had triumphed, by the salvation of his favorite policy; and the strength of the vote against the resolution, shows how great that triumph was. But one year previous to the introduction of Mr. Hall's resolution, it would have passed the house by an overwhelming majority. The votes on Mr. Verplanck's bill at that time, proved that conclusively. But the fact is, that the evil spirit of the storm—the spirit of disunion—which had been raised by nullification, had been subdued by that master spirit, which, for thirty years, had exercised so great an influence in our public councils. That same master spirit had quelled the same demon, at the great crisis of the Missouri compromise. On both occasions, Henry Clay saved the Union; and, in the judgment of many, in each of them, he saved the Union at its last gasp.

"But the vote of James K. Polk and his allies in the war on domestic industry, was not the first exhibition of their hostility to the compromise. Within six weeks after the passage of the act, the executive of the United States began to violate its true spirit and its legitimate construction, for the purpose of breaking down our American policy. On the 20th of April, 1833, the secretary of the treasury under President Jackson, issued his famous treasury circular to all the officers of the customs in the United States. That circular contained an executive decree, abrogating all the specific duties and the whole system of *minimums* in the existing tariff laws. Under a pretext as foreign from the views of all the men with whom I acted in the passage of that law, as anything the most remote, this arbitrary edict declared, without one syllable in the act to support it, that it was our intention, in passing it, to repeal these specific duties and minimums. It is scarcely possible that any human being could have been so ignorant as not to know that a *specific* duty could at any time be as well ascertained as an *ad-valorem* duty, and that these duties were convertible. By the compromise, we simply provided, that all existing duties (whether specific or *ad valorem*) should be reduced according to a fixed ratio. This outrage on the law, which, because the executive, whose province it was to collect the duties, had perpetrated it, was utterly without rem-

WOULD PAUSE BEFORE HE SURRENDERED THAT PRINCIPLE, EVEN TO SAVE THE UNION."

James K. Polk, in an address to the people of Tennessee, published at Columbia, his place of residence, under his own super-

edy, proved of great injury to all those manufactures which depended for protection upon the minimums and specific duties.

"The injury inflicted on the manufacturing interest did not admit of legal redress, for the friends of protection could not by any possibility bring the question before any judicial tribunal, while the executive officers refused to sue for or collect the duties in pursuance of their instructions. Nothing remained for us to do but to submit in silence, until the returning sense of justice to the country should induce the people to drive the enemies of domestic industry from the high places of the republic. * * * Although they continued in power from the passage of that law [compromise act] until the year 1841, they never attempted, in a single instance, to provide, either by prospective legislation or by any executive regulation, for any mode of assessing duties on the home valuation; nor did they attempt to pass a law raising the duties, prospectively, after the 30th of June, 1842, to the real wants of the government; although they knew, as well through the whole session of Congress of 1840–'41, as we know now, one or both of these measures ought to be prospectively adopted, to save the government from the danger of bankruptcy. The principle of the home valuation was a *sine qua non*, at the time of the passage of the act, with many of those who, like myself, voted for it for the purpose avowed by me at the time, of saving the protective policy. We considered that a vote for the duties fixed by the act, to be assessed on this principle, was essentially, to all intents and purposes, a vote for *protection;* and we determined, therefore, to compel Mr. Calhoun and his peculiar friends in the senate to record their votes, in the most unequivocal form, on the journal in favor of that principle. And here I can not help complaining of the conduct of Mr. Calhoun, after the passage of this law, and especially after the period when most of us friendly to the protective policy, who had voted with him for its passage, had left the senate of the United States. How well his conduct comported with that feeling which a man, who had received at our hands a shelter from the storm which threatened to annihilate him, should exhibit, I leave for him and others who are in the same category to determine. To explain his conduct I must refer to a few facts.

"While the motion was pending to amend the bill by directing the assessment of the duties on the home value, a debate sprung up, in the course of which Mr. Calhoun repeatedly argued that the amendment was unconstitutional, and declared that it was impossible for him to vote for it. A number of tariff senators, friendly to the compromise act, with whom I was acting in concert, including, among others, Samuel Bell, of New Hampshire, A. Naudain, of Delaware, Samuel Foote, of Connecticut, and John Holmes, of Maine, had resolved to compel all the anti-protectionists in the senate to vote for that amendment, in every stage of its passage, or to defeat the bill by laying it on the table. We foresaw all the objections which have been since made to the adoption of that mode of preventing evasions of the law, and frauds on the revenue; and we knew that the amendment necessarily carried with it protection to American industry. It was an unpleasant prescription for Mr. Calhoun; but it was not ill-adapted to the peculiar disease under which he labored. After he had frequently announced his unalterable determination to vote against the amendment, which he as often said it would be a violation of the constitution, and against his conscience to support, a motion was made—and by myself—to lay the whole bill on the table; and, on the part of friends, I avowed our determination not to suffer it to be called up again during the session. At the request of a nullifying senator, I withdrew that motion, to give himself and his friends time to reflect further; but, at the same time, they were distinctly given to understand, that, unless they agreed to vote for the amendment, at every stage of its passage, the motion should be renewed, and the bill nailed to the table; in which event, they must fight it out with the general government. Those who are curious to consult the debates in Congress at that day, will see, by recurring to them, that, on the next day, when the bill was taken up again, every man among them, every enemy of the tariff in the senate, including

vision, and dated April 3, 1839, when he was a candidate for governor, employs the following language, in allusion to the compromise act, thereby indicating the OBJECT contemplated by the measure :—

"The great results of General Jackson's administration belong to the history of the country, and can be but briefly sketched or alluded to in an address like this. In repeated instances, *he recommended modifications and reductions of the tariff*, WITH A VIEW TO THE FINAL ABANDONMENT OF THE ODIOUS AND UNJUST SYSTEM. *So effectual were these recommendations, and so rapid the change of public opinion, that the friends of the tariff, and even* MR. CLAY, ITS REPUTED FATHER, SEIZED ON A FAVORABLE MOMENT TO SAVE THE WHOLE FROM DESTRUCTION, BY A TIMELY COMPROMISE. It was the defence of Mr. Clay with his friends at the north, that, BY YIELDING A PART, HE PREVENTED THE DESTRUCTION OF THE WHOLE; and in their continued and devoted support of him, the northern capitalists have shown that they are grateful for the FORTUNATE RESCUE."

The following letter from Mr. Clay, to the Hon. John M. Clayton, is especially pertinent here :—

"BLUE LICKS, *August* 22, 1844.

"MY DEAR SIR: Your supposition is right as to the oppressive extent of my correspondence. It is utterly impossible to answer all the letters which I receive. I am afraid that I can not reply to many that deserve it. Mr. Madison once remarked to me, that Mr. Jefferson's correspondents were killing him; but they were furnished by a population of about ten millions. Mine are supplied by a population of near twenty millions. * * *

"I request you to attribute to the above cause, my omission to express to you before the satisfaction I derived from the perusal of your admirable speech on the compromise law. No man knew better the motives and considerations which prompted its passage than you did, and you have ably and truly exposed them. We

the honorable John C. Calhoun, of South Carolina, VOTED FOR THE AMENDMENT! His vote for the home valuation stands recorded on the journals of the senate, at every stage of the passage of the bill; and he contented himself at the time, as he declared, during the passage of the tariff of 1842 (when this vote was invoked in judgment against him by a tariff senator), by saying that he voted for it UNDER AN ORAL PROTEST! It is true, that promises made under the fear of death, are not binding in law; but it would be utterly inadmissible to suppose that Mr. Calhoun acted under duress; and it would be equally inadmissible to suppose that his vote was given with a view to procure the votes of others, then necessary for his own safety—because such a vote would have been a palpable fraud upon them, if, at the time, he meditated an evasion of the pledge given in the amendment.

"Two days after the passage of this bill, Congress adjourned; and, in less than three months, we learned, to our perfect astonishment, from the public prints, that Mr. Calhoun was, in South Carolina, exulting among his followers on account of what he called his *triumph over* HENRY CLAY!"

were upon terms of the most confidential intimacy and friendship. You daily, in the senate, sat near me. You knew of my consultations with the practical manufacturers, and their coincidence in opinion with us. I believe it was upon your invitation, that the lamented Dupont came from Delaware, and conferred with us. Upon more occasions than one, while gazing upon the careworn countenances and haggard looks of some of the delegation in Congress from South Carolina, you said to me: 'Clay, these are fine fellows. It won't do to let old Jackson hang them. We must save them.' You lived in a mess of some seven or eight senators, and it was your mess that insisted upon the home valuation, as a *sine qua non*. Mr. Calhoun opposed it. Your mess persevered. The fate of the bill was threatened; but he, at the last moment, withdrew his opposition, and the bill finally passed.

"I have again and again asserted, on the floor of the senate, that two objects were aimed to be accomplished. One was to avert the civil war; the other was to preserve the policy of protection. It was threatened by Mr. Verplanck's bill with total subversion; and I believed then, and believe now, that, if the compromise had not passed, at the next session of Congress all traces of that policy would have been effaced from the statute-book.

"You and I both maintained, that the measure of the protection preserved by the compromise would be sufficient until about 1842. But we were taunted by our opponents, to know what would be its condition when that period arrived. We replied, there were the home valuation, cash duties, a long list of free articles, &c. But I said, also: 'Let us take care of ourselves now; the people of 1842 may be trusted to take care of themselves. Public opinion, in the meantime, may become more enlightened, and the wisdom of the protective policy may be demonstrated.' I have not been disappointed; my predictions have been fulfilled. The people of 1842 —the whigs, at least, everywhere, and many of the democrats— are now fully persuaded that the industry of this great country ought not to be prostrated at the feet of foreign powers. Everywhere the cry is for a tariff for revenue, with discriminations for protection. Everywhere the preservation of the tariff of 1842, which has worked so well, and is delivering us from embarrassments, is loudly demanded.

"The circumstances which led to, or attended, the enactment of the compromise, may be curious and interesting as matters of history; but, in respect to the policy of protection, the great, practical, absorbing question is, shall the tariff of 1842 be preserved or repealed? That question is to be solved in November next. I have repeatedly expressed my opinion *unequivocally in favor of it.*

"I thought we achieved a great triumph in placing the protective policy, by the compromise act, without the reach and beyond the term of General Jackson's administration. And we availed our-

selves of the fact, that the South Carolina delegation were much more anxious that the difficulty should be settled by us than by General Jackson.

"You tell me that I am accused of having abandoned the protective policy. That would distress me exceedingly, if I were not accused of all sorts of crimes and misdemeanors. I believe I have been charged with every crime enumerated in the decalogue. I laugh at the straits to which my opponents are driven. They are to be pitied. Shrinking from all the issues, arising out of the great questions of national policy, which have hitherto divided the country, they have no other refuge left, but in personal abuse, detraction, and defamation. I have lived down these attacks heretofore, and, with the blessing of Providence, I hope to survive those which they are now directing against me. Most certainly, my surprise at the attempt to make me out a friend of free trade with foreign countries, and an opponent of the protective policy, ought not to to be greater than that of my competitor at the effort to establish his friendship to the protective policy.

"I remain, always truly and faithfully, your friend,

"HENRY CLAY.

"Hon. J. M. CLAYTON."

It will now be seen—1, that the compromise law saved the protective policy; 2, that the land bill, pocketed and strangled by General Jackson, was a *bona fide* part of the compromise act, and indispensable to make the law fully effective; 3, that, in the administration of this law, the federal executive greatly impaired it, in several essential particulars, and, in some instances, violated it; 4, that several attempts were made, in bad faith, during the term of its existence, to disturb it, and break it down; 5, and consequently, that, in the observance of good faith, on the part of the national executive and other parties, this law would, in all probability, have proved amply sufficient, throughout the period for which it was enacted; 6, that, since this law, thus impaired, thus violated, and thus assailed, did, notwithstanding, actually save the protective policy, its power to accomplish its intended objects, and consequently its beneficence, are fully demonstrated.

The importance of this measure as an item of political history, and Mr. Clay's relations to it, seemed to impose imperative claims for the full exposition of the subject, which has been attempted in the foregoing pages.

It was during the debate on the compromise, that a reconciliation took place between Mr. Clay and Mr. Randolph, on the floor

of the senate-chamber, when Mr. Randolph was in a very low state of health, the fact and circumstances of which are pleasant to record.

In a private letter to Judge Brooke, dated Washington, April 19, 1826, after Mr. Clay's duel with Mr. Randolph, he says:—

"Prior to my going out on that affair, the only letter I wrote about it, was addressed to you, and put into the hands of General Harrison, to be forwarded, on a contingency which did not happen. In that letter, which he still retains, I briefly assigned the reasons which determined me on the course I took. The circumstance which most embarrassed me, was the opinion which is entertained by some, as to the state of Mr. Randolph's mind. But I thought I ought not to be governed by that opinion, which was opposed by the recent act of my native state electing him to the senate."

In another private letter to Judge Brooke, dated Washington, March 11, 1833, Mr. Clay makes allusion to his reconciliation to Mr. Randolph, as follows:—

"You ask how amity was restored between Mr. Randolph and me? There was no explanation, no intervention. Observing him in the senate one night, feeble, and looking as if he were not long for this world, and being myself engaged in a work of peace [the compromise tariff], with corresponding feelings, I shook hands with him. The salutation was cordial on both sides. I afterward left a card at his lodgings, where, I understand, he has been confined by sickness."

The following anecdote doubtless relates to the time of this reconciliation. Mr. Randolph was carried to the senate chamber, by his own request, though very feeble, during the debate on the compromise bill, when Mr. Clay was expected to speak. As Mr. Clay rose to address the senate, Mr. Randolph said to a friend that stood by him: "Help me up—help me up. I came here to hear that voice."

Charles James Faulkner, Esq., of Martinsburg, Virginia, in a speech at Gerardstown, ascribed to Mr. Randolph the following sentiments, uttered in Buckingham county, in an address to the public, during the pendency of nullification:—

"'Gentlemen, I am filled with the most gloomy apprehensions for the fate of the Union. I can not express to you how deeply I am penetrated with a sense of the danger which at this moment threatens its existence. If Madison filled the executive chair, he might be bullied into some compromise. If Monroe was in power,

he might be coaxed into some adjustment of the difficulty. But Jackson is obstinate, headstrong, and fond of fight. I fear matters must come to an open rupture. If so, this Union is gone.' Then pausing for near a minute, raising his finger in that emphatic manner so peculiar to his action as a speaker, and seeming, as it were, to breathe more freely, he continued: '*There is one man, and one man only, who can save this Union. That man is* HENRY CLAY. *I know he has the power—I believe he will be found to have the patriotism and firmness equal to the occasion.*' "*

* When the Missouri question was pending, in 1821, at the moment of the greatest excitement in Congress, Mr. Randolph and a few others from the slaveholding states, had conceived the project of the whole of the representation from those states formally retiring in a body from the house, and leaving it in the exclusive possession of the members from the free states. One evening, after candlelight, and after a day of great excitement in debate,—Mr. Clay having temporarily left the chair, in consequence of the sudden illness of Gen. Mercer of Virginia,—Mr. Randolph accosted Mr. Clay, and said:—"Mr. Speaker, I wish you would leave the chair, and I will follow you to Kentucky, or anywhere else in the world." Mr. Clay, who understood the allusion to be to that project, replied, "Mr. Randolph, that is a very serious proposal, deserving of the gravest consideration. I have not time now to converse with you about it; but if you will call to-morrow morning, at the speaker's room, we will talk it over." He accordingly called, and an hour's interview took place between them. Mr. R. insisted that "there ought to be no compromise; that the south was right, and the north wrong; that slavery would sooner or later break up the Union; that we might as well meet the question now; and that, if it led to a dissolution of the Union, the north alone would be responsible for that event." Mr. Clay, concurring with Mr. R. in opinion, that "no restriction ought to be imposed on the state of Missouri, but that, like the other states, she ought to be left free to decide for herself the question of slavery, differed entirely from him on the subject of a compromise. He insisted that the Union was of too vital importance to all the states, to be hazarded, if it could possibly be preserved; that, if the question could be compromised, without any sacrifice of principle, it ought to be done; that he hoped such a compromise could yet be effected; and that, as the northern members were too firmly committed against the unconditional admission of Missouri, to yield, without some ground being given them to stand upon, he was in favor of such an arrangement of the subject, as was proposed by the committee of thirteen, according to which, in his opinion, no principle was violated."

The two gentlemen separated, each retaining his own views, and both accordingly so acted throughout the whole of that great and unexampled trial. The report of the committee of thirteen was defeated by the vote of Mr. Randolph and two or three other southern gentlemen, who concurred with him. When the joint committee, which was subsequently appointed, assembled, Mr. Randolph raised the question, whether the chairman of the senate or of the house committee should preside? Mr. Clay, who had no idea that a great subject should be affected by a mere point of form or etiquette, obviated the difficulty at once, by proposing that the joint committee should act together, but that the chairman of each should preside over his own; and that, when a proposition was submitted, it should be propounded to each committee by its proper chairman; and if agreed to by both, it should be reported to the two houses. This course was agreed to.

When the proposal was made, which was adopted by the joint committee, Mr. Clay, who knew that its success in the house, depended on its obtaining the support of a certain number of the members of the committee from the free states, interrogated them severally—"Will you vote for the proposition in the house, if it be reported?"—and a number sufficient to insure its success, having answered in the affirmative, it was accordingly reported.

Throughout the session of the joint committee, Mr. Clay displayed the greatest calmness, solicitude, dignity, and practical ability. Mr. Barbour, of Virginia (not a warm personal friend of Mr. Clay), afterward a judge of the supreme court of the United States, uniformly testified to the masterly manner in which Mr. Clay carried the measure of compromise through the committee.

It is pleasant to observe the happy state of feeling under which the relations of these two men terminated. It is even a scene delightful to contemplate, variegated, and in no small degree touchingly dramatic in its character. Mr. Randolph's eccentricity seemed often to border on insanity. If he had his faults, he also had redeeming qualities.* It can hardly be supposed he was himself in seeking a hostile encounter with Mr Clay, in 1826. Their meeting on that occasion, and Mr. Clay's engagement in a like affair with Humphry Marshall, some twenty years before, are events to be deplored. That Mr. Clay should have been accused of having a hand in Cilley's death, when he sincerely sought to prevent it, by dictating a note for the very purpose of opening a door to pacification, which had been closed, like other calumnies, through which he has been doomed to pass, originated in wicked designs, and has been sustained by a like perversity.

* Mr. Randolph often found or made difficulty with Mr. Clay, as speaker of the house of representatives, and, being in the wrong, it worked hard on his undisciplined temper and habits. Mr. Clay was once obliged, or thought proper, to defend himself in the National Intelligencer, for one of his decisions as speaker, of which Mr. Randolph had complained in a public address to his constituents. At the end of the interview on the Missouri question, Mr. Clay took occasion to express his regret, for the unpleasant occurrences on the floor of the house, between himself, as speaker, and Mr. Randolph, and remonstrated against his (Mr. R.'s) language in that place, as the speaker could not reply. Mr. Randolph said: "I think you sometimes refuse to listen to me, when I am addressing the chair, and turn away to ask for a pinch of snuff."—Mr. Clay said: "You are mistaken. I can repeat as much of any of your late speeches, as you can yourself, good as I know your memory to be."—"Well," said Mr. R., "perhaps I am mistaken. Let us shake hands, and be friends."

At another time, Mr. Randolph was threatened with a rude assault, out of doors, for a remark he had made—itself rude—and he came for advice to the speaker (Mr. Clay), who suggested, whether the man were sane? Mr. R. had his doubts. Mr. Clay said, perhaps it would not be best to trouble the house with it; but he would order the officers to keep an eye on the person, and arrest him, if they thought it expedient.

CHAPTER X.

NULLIFICATION VERSUS A SOUTHERN PLANTER.

Doctrine of the Nullifiers.—Its Absurdities.—The Teachings of a Southern Planter contrasted with the Doctrines of Nullification.

It remains to notice briefly the argument set up in South Carolina at the time of the compromise in 1832–'33, which was used before, and is still employed; though it ought to be allowed, that Mr. Clay has fully answered it, in the extracts already made from his speeches. The attention of the reader was particularly called, in a previous chapter, to Mr. Clay's statement of the *argumentum ad absurdum* on this point, which is a standing and irrefragable answer. Nevertheless, some respect is due to the feelings of those who still believe in that fallacy. So long as people *think* they have grievances, and complain, they are entitled to be heard. If, indeed, there is no just foundation for this complaint, the last vestige of objection to the protective policy is demolished.

There were several public documents sent forth under the state authorities of South Carolina on that occasion, exhibiting the views of her leading men on this subject. The following is an extract from the report of the convention which enacted the nullifying ordinance:—

"The laws [of the tariff] have been so framed as to give a direct pecuniary benefit to a sectional majority, in maintaining a grand system by which taxes are in effect imposed upon the few for the benefit of the many; and imposed, too, by a system of indirect taxation, so artfully contrived as to escape the vigilance of the common eye, and masked under such ingenious devices as to make it extremely difficult to expose their true character. Thus, under the pretext of imposing duties for the payment of the public debt, and providing for the common defence and general welfare (powers expressly conferred on the federal government by the constitution), acts are passed containing provisions designed exclusively and avowedly for the purpose of securing to the American manufactu-

rers a monopoly in our markets, to the great and manifest prejudice of those who furnish the agricultural productions which are exchanged in foreign markets for the very articles which it is the avowed object of these laws to exclude.

"If the sixteen millions of dollars now annually levied in duties on the foreign goods received in exchange for southern productions, were allowed to remain in the pockets of the people, or, by some just and equal system of appropriation, could be restored to them, the condition of the plantation states would unquestionably be one of unexampled prosperity and happiness. Such was our condition under a system of free trade, and such would soon be again our enviable lot. Of the results which would thereby be produced, some faint conception may be formed by imagining what would be the effect upon the interests of the people of our own state, if the $8,000,000 of foreign goods now annually received in exchange for our productions, and paying duties to the amount of upward of three millions of dollars, could be obtained by us duty free, or the duties thus levied were expended within our own limits. Is it not obvious, that several millions per annum would thereby be added to the available industry of South Carolina? &c. . . . We present this strong view of the subject to show the manifest justice of the claims of South Carolina," &c.

The following extract is from the address of the convention to the people of the United States:—

"Under a system of free trade, the aggregate crop of South Carolina would be exchanged for a larger quantity of manufactures, by at least one third, than it can be exchanged for under the protecting system. It is no less evident, that the value of the crop is diminished by the protecting system very nearly, if not precisely, to the extent that the aggregate quantity of manufactures that is obtained for it, is diminished. It is indeed strictly and philosophically true, that the quantity of consumable commodities, which can be obtained for the cotton and rice annually produced by the industry of the state, is the precise measure of their aggregate value. But for the prevalent and habitual error of confounding the money price with the exchangeable value of our agricultural staples, these propositions would be regarded as self-evident. If the protecting duties were repealed, one hundred bales of cotton, or one hundred barrels of rice, would purchase as large a quantity of manufactures as one hundred and fifty will now purchase. The annual income of the state, its means of purchasing and consuming the necessaries and comforts and luxuries of life, would be increased in a corresponding degree. Almost the entire crop of South Carolina, amounting annually to more than six millions of dollars, is ultimately exchanged, either for foreign manufactures subject to protecting duties, or for similar domestic manufactures

The natural value of that crop would be all the manufactures which we could obtain for it under a system of unrestricted commerce. The artificial value produced by the unjust and unconstitutional legislation of Congress, is only such part of these manufactures as will remain after paying a duty of 50 per cent. to the government; or, to speak with more precision, to the northern manufacturers. . . . The inevitable result is, that the manufactures thus lawfully acquired by the honest industry of South Carolina, are worth annually three millions of dollars less to her citizens, than the very same quantity, of the very same description, of manufactures is worth to the citizens of a manufacturing state—a difference of value produced exclusively by the operation of the protecting system. No ingenuity can either evade or refute this proposition. The very axioms of geometry are not more self-evident. . . . We confidently appeal to our confederated states, and to the whole world, to decide whether the annals of human legislation furnish a parallel instance of injustice and oppression perpetrated in the form of free government. However it may be disguised by the complexity of the process by which it is effected, it is nothing less than the monstrous outrage of taking three millions of dollars annually from the value of the productions of South Carolina, and transferring it to the people of other and distant communities."

The first thought that will naturally strike one, in reading the above extracts, is a concession, made, indeed, under the form of a libel, that the system of taxation complained of, is "so artfully contrived as to escape the vigilance of the common eye, and masked under such ingenious devices, as to make it *extremely difficult to expose their true character.*" It was no doubt an "extremely difficult" task to prove what was necessary to maintain their ground. But it will be observed, that the whole of their ground falls from under their feet by the proofs elsewhere given in this work, that the protective policy cheapens the prices of articles protected, instead of enhancing them; and consequently, that the claim of South Carolina for indemnification or relief from a burden, is, on the principle of their own argument, converted into a debt of gratitude at least. The controversy is settled by the settlement of the question, whether protective duties are a TAX. It has been shown by Mr. Clay—and is proved in chapter XII. of this volume—that they do not so operate; or, if there are exceptions, that such is not their tendency, but the contrary. When the duties do not amount to prohibition, they not only extend the range of competition, but they bring foreign and domestic products in competition, and the uniform experience is a reduction of prices.

But there are some incorrect statements in these documents, which are of material consequence in their bearings on the controversy. They complain that "acts are passed containing provisions designed exclusively and avowedly to secure to American manufacturers a MONOPOLY in our markets, to the great and manifest prejudice of those who furnish the agricultural productions which are exchanged in foreign markets for the very articles which it is the avowed object of these laws to EXCLUDE." The self-contradiction of this statement, which speaks of the "very articles" being received in exchange, which are in the same sentence represented as excluded by prohibitory duties, might be a sufficient answer to itself. But, it is well known, that these duties were not intended to be prohibitory, except perhaps in regard to a few articles, and that they did not operate as such. So far, therefore, from securing to the American manufacturers a MONOPOLY, they only opened the widest possible door for competition, and consequently for obtaining the articles at a lower price, as was in fact the result. A correct statement would have taken away all ground of argument, as it must have exhibited the reasons why their argument had no solid foundation. A misnomer of terms, in a controversy, if designed to conceal the truth, or to gain advantage by exciting popular prejudice, is a species of fraud, which will not be tolerated, certainly not practised, by fair minds. The term, MONOPOLY, is very odious; and the reason why the tariff complained of did not give a monopoly, but widened the field of competition, was the reason why the prices of the articles must necessarily be reduced, and thus take away all ground of objection. Experience shows, that even prohibitory duties, the effect of which is to rear domestic establishments, provide for the public cheaper and better articles, as soon as domestic competition has fairly begun, though at first the prices may occasionally be somewhat enhanced. It is well known, that American iron is better than foreign, and there is no article of iron manufacture in extensive use, that will not be afforded cheaper by domestic than foreign factories, as soon as the protection is felt to be sufficiently stable for the safe investment of capital in domestic establishments on a scale that will create competition. Most articles of iron manufacture, are already cheapened, and none are so high as they would be, if foreign factories had the monopoly, as they would have, without adequate protection to home manufactures.

But there is another item of incorrectness in a statement of the

report of the convention of South Carolina, leading to momentous results on the supposition of its being fair; and it is no wonder that the people of that state, receiving it as correct, were excited, and ready to plunge into a civil war for a remedy. It is true the report does not positively affirm to it as a fact, but it clearly conveys the idea, and such must have been the impression made—that the tariff robbed that state of *three millions of dollars annually*, as stated in one form, and SEVERAL *millions* as stated in another form; whereas, according to their own theory, that duties are taxes, their proportion of the tax, as a state, could only have been *three hundred and thirty-three thousand, three hundred and thirty-three dollars*, as shown in a calculation presented by Mr. Clay. That they meant to be so understood, appears from what they say at the conclusion of the statement: "We present this *strong* view of the subject," &c. It was undeniably a "strong view." What state of the Union would not rebel, to deliver itself from being wronged out of three millions, or *several* millions, annually? It certainly was not quite fair to bring to a fallacious theory, an incorrect statement of facts, to aggravate the hypothetical consequences of that theory—those consequences being represented as facts.

In the extract from the address to the people of the United States, the peculiar theory of the South-Carolinians is distinctly brought out. They assume, as an element of reasoning, the barter principle, as if it were practically applied in the disposal of their products, which is not a fact. They go into the market like anything else, at the cash price. Barter, or the exchange of one commodity for another, neither being money, is not practised in the commerce of civilized communities, but is confined to barbarians. A home trade has much in it that is tantamount to barter, and that is the beauty and superior advantage of domestic exchanges, while cash is always the medium-gauge of prices, and may be used, if required by either party. But in foreign trade and exchanges, there is no such thing as barter. The precious metals, weighed in scales, are the sole medium of foreign commerce, and all balances are settled by that rule.

Pursuing this barter principle, the South-Carolinians next assume, that their products would yield them at least one third more, if the tariff were out of the way, which imposes about one third ad-valorem duties. In this assumption is implied the element, that duties are taxes · whereas it is fully shown, that they reduce

prices. Consequently, on the barter principle, as assumed, instead of having received in exchange one third less than the value of their products, they have received a fraction more—one third, more or less, in *excess* of what was due to them on their own principle. Their proposition, therefore, of a one-third diminution in the value of their crop, by the protecting system, should be reversed to something like a one-third *increase*. There can be no difference of opinion about the following proposition laid down by them, although they seemed to suppose it was or would be controverted: "It is indeed strictly and philosophically true, that the quantity of consumable commodities, which can be obtained for the cotton and rice annually produced by the industry of the state, is the precise measure of their aggregate value." If they had claimed the rights of barter according to this rule, they would no doubt have had as much business as they could do, not to say at a great loss. But, like wise men, they have preferred "the money price," as they call it, in distinction from "exchangeable value," alias barter.

The following palpable form of their theory can not but arrest attention: "If the protecting duties were repealed, one hundred bales of cotton, or one hundred barrels of rice, would purchase as large a quantity of manufactures as one hundred and fifty now purchase." This is what is commonly called "the forty-bale theory," in this case, assuming 50 per cent. as the duty, it is a fifty-bale theory. The theory is illustrated by its authors thus: "The South-Carolina planter exports one hundred bales of cotton to Liverpool, exchanges them for one hundred bales of merchandise, and when he brings them home, is compelled to leave at the customhouse forty bales in the form of duties." Mr. Clay's answer to this, is as follows: "To test the correctness of the hypothetical case, let us suppose that the duty, instead of forty per centum, should be one hundred and fifty, which is asserted to be the duty in some cases. Then the planter would not only lose the whole hundred bales of merchandise, which he had gotten for his hundred bales of cotton, but he would have to purchase, with other means, an additional fifty bales, in order to enable him to pay the duties accruing on the proceeds of the cotton." When an absurdity like this is made out, it ought to be quite sufficient. But there is another answer: It is not the South-Carolina planter who carries on this exchange—he sells for cash—but his broker at New York in the first stage, and the importer in the second. If the importer

should divide the proceeds of one hundred bales of cotton into the same number of bales of merchandise, he can *afford* to leave forty bales, or whatever be the duty, at the customhouse, and make a satisfactory profit in his business. Such is the practical operation, and the fact. If the South-Carolina planter should choose to do this business himself, and if he should do it with equal skill, he would acquire the profits of the trade, in addition to the full and fair price for his cotton, which he always gets. The theory is fallacious, and one of the elements of its fallacy, is the assumption of the barter principle, which is never practised; another, that import duties are equivalent to export duties. It would be equally true to say, that the British manufacturer, whose fabrics are bought with the proceeds of the cotton, pays the duties collected on them in the United States, as that the planter, the avails of whose product are used as the means of purchase, pays them, "unless," as Mr. Clay says, "the principle is true on one side of the Atlantic, and false on the other."

The South-Carolinians make a distinction between the *natural* and *artificial* value of their crops, thus: "The *natural* value of that crop would be all the manufactures which we could obtain for it, under a system of unrestricted commerce. The *artificial* value produced by the unjust and unconstitutional legislation of Congress is only such part of those manufactures as will remain after paying a duty of fifty per cent. to the government." Since it is proved—very unexpectedly to them—that the "*artificial* value" is greater than the "*natural* value," they can not complain; and if they choose, they are free to carry out their principle of barter, and have all the profits of the business. Since they annually consume only from six to seven hundred thousand dollars' worth of the protected articles, their advantage is limited to the reduction of prices on this amount. It would not be a bad speculation for them to do all the trading, and receive the balance of profits arising from the 'artificial value" of eight millions, the amount of their products. As to the annual sacrifice of three millions of dollars to the state, that, of course, is all done away with, by the unexpected operation of the tariff in their favor, in the reduction of prices.

Mr. Clay has clearly shown, that the American manufacture of cotton, growing out of the protective policy, instead of diminishing, as averred by the South-Carolina doctrine, has increased the demand for the raw material. As early as 1832, Great Britain had a foreign market for her cotton manufactures, amounting annually

to one hundred and sixty millions of dollars, more than three fourths of which was a positive value added by British industry and art to the raw material, purchased chiefly of the American planter, only five per cent. of which then came to the United States. If Great Britain had been excluded from the American markets, she still had a market in other parts of the world, for the remaining ninety-five per cent., constantly on the increase, and must have the raw material to supply it. But she has not been driven from the American market, except in coarse fabrics; and the demand of the American manufactories for the raw material is far beyond the five per cent., also constantly increasing; so that the cotton planter has not only the advantage of a new and home market, but wider and more rapidly-augmenting demand for his product. It is absurd to suppose, that British manufacturers would not continue their demand for the raw material, for the full supply of their growing trade in other parts of the world, which, by American competition, would naturally be pushed with greater vigor; and the American demand for the raw material may perhaps be put down for nearly if not quite all clear gain to the cotton planter. It has been shown by the Hon. Mr. Simmons, of the United States senate, that the American market for raw cotton, is by far better for the planter, than the British or any other foreign market. It is certain that the demand for raw cotton has not been diminished by the existence and growth of American manufactures, because the supposition involves an absurdity. It is not less certain, that the causes which prevent diminution, must operate to produce augmentation; and as price is always governed by demand, the greater demand must be favorable to prices.

Some sections of the Union, and some local or individual interests, unless a tariff is carefully and fairly adjusted, may be benefited more than others; but, as a general rule, none can be injured by the protective policy. The cause of the more sluggish prosperity of the south, will probably be found in that which makes the difference in the results of involuntary and voluntary labor. It should not be matter of surprise, that there is greater thrift in a state of society, where all the people work, and each man works for himself, than in a society that is sustained by involuntary service.

It is certainly remarkable, that the people of South Carolina should have been persuaded, by a fallacy, that they were taxed three millions of dollars a year for other people and other states.

when, on the fundamental principle of the argument of their preceptors, they could only have been taxed to the amount of the duties on the protected articles which they consumed, to wit, some three hundred and thirty-three thousand, three hundred and thirty-three dollars; and when, after all, it appears, that even this alleged tax proves to be a bonus; that, because they had the good fortune to find a market for eight millions of their agricultural products, not in the way of barter, but for cash, they should imagine this cash was reduced one half after they had got it in hand, which, if it had so happened, must have been their own fault, or a species of magic for which man ought not to be held accountable; that because a merchant traded as well as he could with the proceeds of their cotton and rice, after they had come fairly into his hands by purchase, and brought home such goods in exchange as he could make most profit on, duties or no duties, they should think that *they* paid duties on goods with which they had no concern; that they should be made to believe, that import duties are equivalent to export duties; that when a New-York importer pays duties on British or other foreign products, South-Carolinians pay them also, because they sell cotton and rice to a New-York broker, for the markets from which those imports come; and that they are very much oppressed by a tariff which has supplied them annually with some six or seven hundred thousand dollars' worth of manufactured articles—the amount of their consumption of such as come under protection—*cheaper* than they could otherwise have obtained them!

It is worthy of remark, that some portions of the south, at least, are in the transit state of being converted from the doctrines so strenuously maintained by South Carolina. It was credibly stated to the author of this work, that one of the United States senators, from one of the greatest cotton-growing states, who had always opposed the protective policy, and voted against the tariff of 1842, after having observed the practical operation of that measure, said: "I have no more to say. The tariff of 1842 has destroyed our theory."

But the most remarkable fact of all recent events of this kind, is a work lately published, entitled, "NOTES ON POLITICAL ECONOMY, AS APPLICABLE TO THE UNITED STATES, BY A SOUTHERN PLANTER. New York: Leavitt, Trow, & Co., 1844." In his preface, the writer invokes especially the attention of "the southern states, with which he stands identified by birth and

interest;" and in the body of the work, while giving statistics appertaining to the economy of a plantation, as evidence of his knowledge of the subject, he says: "The writer speaks from experience; for he is a planter of cotton, and owns slaves." That such a voice should come forth from that quarter, was perhaps unexpected. It can not be denied, that the teachings of this work—they are very strong—are worthy of special regard on account of this origin; nor can it well be averred, that the evidence is less credible. To give a taste of it, so far as it treats of the protective policy, as well as to have the advantage of some of its luminous and effective concentrations of thought, the author of this work has obtained leave from the publishers to make a few extracts. He had thought of introducing them in the form of a note. But they are really so spirited, so vigorous, so replete with information, and withal so striking a contrast to the foregoing doctrines of the South Carolina nullifiers, coming as they do from the same quarter, that the author has been induced to put them one over against the other, for the effect they are naturally calculated to produce. They are also so rich and valuable, that these few pages could not be better employed in elucidating this important subject. They are selected from thirty-three chapters of a handsome volume, which will account for the frequent and abrupt changes of topic, and the chasms actually leaped to give, in a limited space, a general idea of the work, every part of which is equally worthy of attention. For the statistical information and facts contained in these citations, the author of this work can not be responsible; but he presumes they are worthy of respect:—

"In all modifications of the tariff; in all propositions to promote agriculture, commerce, or manufactures; in all laws or arrangements that go to affect labor, or change the order of things, the only question should be, do the CIRCUMSTANCES of the country favor it—or, do the *interests* of the nation require it?—is a case made out to fit or call for the measure in question?—and what is the real condition of things in reference to the proposition?—not what did Adam Smith or Mr. Say write or lay down? * * * The policy of protection is too manifest in many cases to be questioned by any political economist, and the practice has prevailed more or less in all ages and in all nations. Taunt me not, then, with the quaint argument that 'the let-alone system is the best.' Tell me not that, under all circumstances, individuals will not only find out the most profitable lines of industry and business, but execute them, and realize the profits incident thereto; that no action of the government is necessary in any case—no protection or

bounty required. * * * Every production, the result of protection, in this country, has been brought cheaper and better into the market than before such protection. * * * There is something fascinating, but deceptive, in the idea of free trade. It seizes upon the unthinking, and takes with all that do not reflect; because it seems to be a sort of adjunct or corollary of liberty, in its broad and unrestrained sense. The demagogues and designing politicians catch at popularity by using this popular term, and ring upon it all the changes to suit their purposes. * * * Nations must be similarly CIRCUMSTANCED, stand on the same footing, and have all advantages and circumstances equal, in order to insure the principles of free trade working mutually beneficial to all. Any difference in their condition; any advantage; any engrossing of skill, capital, tonnage, or seamen; any long-established organization, would give to a nation possessing them the vantage-ground, and enable it to put all others under contribution, unless countervailed. Old nations would, through it, subsidize young ones. A high degree of manufacturing skill and refinement would enable the nation having it to keep a hold on all the world. * * * Whenever free trade hereafter be suggested, it will either be from old advanced nations, based on interest, or from designing politicians expecting to make capital out of the idea by humbugging the ignorant. I feel assured that the idea in this country has nothing to do with patriotism. * * * Make trade free, let mankind buy where they can the cheapest, and a few nations will master all, and absorb the capital of the whole world. * * * England, with her advantages and capital, may well cry aloud for free trade, for she will profit most by it. She may well put arguments into her customers' mouths, and even write tracts and distribute them among ignorant people, who are waking up to their own interests, to the reality of their situation, and would fain arrest the impoverishing process before it be too late. England, lately, when she had got all the capital or money of the United States for goods that they ought to have made at home, and finding the thing growing slack, gave her credit for a year or two of supply ahead. She even loaned the states two hundred millions of dollars to stimulate them to do any sort of things, for England knew that if that money should be wasted there, it would nevertheless find its way back to her, as an ability to buy more goods, which it did in the most literal and absolute way. * * * Free trade, therefore, would be gain and great wealth to some few nations, but poverty and death to most of them.

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"To deprive a nation of the right to encourage her industry and her arts, to develop all or any of her resources, or to meet other nations on equal terms, would cripple her very existence. This doctrine would strike at her vitals, and throw her bound hand

and foot into the power of her enemies. * * * If we were to make the *ten million dollars'* worth of cotton goods that we now import, it would only require about sixty thousand bales more of our cotton, out of a crop of two million bales, which would not much impair our export of the article, and would leave us enough to put Europe under contribution, for they must have it. When I say that Europe must have our raw cotton, I mean that it is her interest to take it, because it will be the cheapest and best. We will continue to grow it cheaper than any other people, and such will be the competition among the spinners of Europe, that no one will dare to give a bounty for cotton, or pay more for it than their neighbor, or lay a tax upon it. Every pound of the raw cotton that we might spin under a proper protection will be our own; and were we to impart the *five additional values* to the raw which the wrought amounts to, it would be all that clear, and done by a population that would be otherwise idle and producing nothing. * * * The raw materal of iron is without limit also in this country, and stands in value perhaps even ahead of cotton. Iron is the right hand of human operations, and a *sine qua non* in fact in all the arts, comforts, and even luxuries of man. Did we not ourselves show the instance, I would have said no nation on earth is, or could be, inconsiderate enough, or so wanting to her own interests and independence as to import this indispensable article of human necessity. * * * The reason that we do not work iron up to our want, without protection, is, the large capital it requires for furnaces, blasts, ore-beds, fuel, and much machinery of a complicated and particular sort, and the want of skill necessary to the operation.

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"As things now stand, we give all possible facility to the introduction of foreign goods that we ought to make ourselves; and not only invite them by low duties to our shores, but diffuse them to every part in a certain and cheap way. We have taxed ourselves hundreds of millions to make these canals and railroads, to let strangers enjoy them, and through them to paralyze our industry and draw from our very bowels our last cent. We have been working for others—have been straining our credit, making debts and loans enough to both disgrace us and grind down our posterity into the very dust for the benefit of other nations. Instead of our own articles and goods being carried on them, we open them to strangers, whom we meet in the remotest interior, not only availing themselves of our works to prostrate our industry with their goods, but laughing at our simplicity, insulting our forbearance, and claiming to have us for eternal customers. The debts the states have contracted abroad, unless counteracted by encouraging our own industry at home, will reduce us to mere colonies of England for the next age. Paying twelve or fifteen millions interest abroad

annually will take all our surplus money, and leave nothing for an increased wealth or comfort. Fifty millions paid and expended at home would not be half as much felt, nor produce half the stagnation and privation. In such payments there is no remead—no return made of the money thus gone for ever: it doubles not back upon the exhausted country, and touches no new springs of industry to atone for the loss—unlike the home expenditures, no matter how heavy, which are still in the country and a part of its wealth. Our works, therefore, doubly injure us unless we protect our own industry; first, by letting our enemy, a very viper, into our bosom to flood us with worthless manufactures; secondly, by having created this two hundred millions of foreign debt to sap our resources for ages, and disgrace us in the bargain.

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"Why should any general law giving protection, or even a bounty, be regarded as partial, and taxing one, even temporarily, for the benefit of another? The law is open to all, and every individual in the community has an equal right to enter the lists and profit by it. If he does not avail himself of it, there is no cause for complaint; it is a proof that he waives his right and gives way to others. Our politicians in this country show a great deal of dishonesty and unfairness in cases like this, and try to pervert and strain facts to make the ignorant believe they are oppressed, that they may make political capital out of it. The idea of monopoly is widely different from this, made of sterner stuff, and intended to favor an individual, or company, at the expense of the community.

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"So that a thing is made and supplied at home, it matters but little whether it costs more or less. This is broad ground and needs some illustration, because if true it does away all the objections that can be offered to a protecting tariff. It makes all the difference to the country, taking in its rounds and interchanges of labor, and its capital, whether a dollar is laid out at home or abroad, in buying an article. When it goes to a foreign country to buy the thing, it is gone for ever, and becomes the capital or the dollar of that country, after it makes one operation only. Whereas if you lay out that dollar at home, in the neighborhood, or next village, or next state, or district, for an article, it remains in the country, and is still a part of the capital of the country. It does infinitely more than that, because it circulates and repeats its operation of buying an article perhaps one hundred times, possibly a thousand times, and in its rounds serves the purposes of a hundred or a thousand dollars, as the case may be. In the grand rounds of its circulation, it touches as many springs of industry as it does hands, and is all the time doing good. When it shall have done all this, or while it is doing all this—for the thing never ends—it is still a dollar, and counted properly among the dollars or the

capital of the country. Figures can't calculate the difference, therefore, in expending a dollar at home or abroad; even the geometrical ratio can't accumulate fast enough to realize this difference. It outstrips everything but the human imagination in its progress. This vast difference has never occurred to our wisest politicians, much less our demagogues. Now if the article should cost ten per cent. more than the foreign, it is ten times made up in this grand round we have alluded to, by the rapid repetition of the thing. It is again made up in the way that prices tally or adapt themselves to one another. If the seller of the article gets a little more, he in his turn pays a little more to the laborers, and they a little more to the farmers, they a little more to the hands, and so on all around the circle, until a perfect equilibrium is not only restored, but kept up between all, and all prices quadrate into a perfect system, that in the rounds can't make the least difference as to the cost or difference of price. I would go so far as to allege and boldly say, that if a country bought all at home, and had nothing to do with foreign markets, it would make no difference to it in the aggregate, or nationally speaking, what an article costs in reason. It would neither add to nor impair her wealth or resources. The above point of view is worth much to political economy, and, if understood, would do away the slang and every-day arguments of 'tax not one portion of the people for the benefit of the others.' It does not operate so at all, even when a difference does seem apparent. On the other principle, too, the argument fails, as we have seen in a former chapter; that is to say, in the operation of skill and competition upon prices, when they shall have had time to act. On both the above principles, then, there can be no danger, no loss nor tax in a protecting tariff. The country is sure to retain its capital, and have the price reasonable too, or so graduated as not to be felt.

"A part of the same argument is the slang expression of 'buying where we can the cheapest.' This argument never looks beyond its nose, never once calculates the general effect of things, or takes in the resources, labor, independence, or capital of a country. It overlooks all those sacred duties that would go to give employment to all laborers, develop and bring into action new resources within reach, and save to a nation its capital or income, instead of wasting it in expenditures abroad. * * * The prices of things, not only in manufactures but agriculture, are not governed, as old writers say, and regulated by the cost of production, or the quantity of labor necessary to make them or produce them, but by the demand for them. All the vibrations in the markets, the ups and downs of prices, are pretty much the result of a greater or less demand for the productions in question among the consumers. An overdone or clogged market is always a bad one, and prices fall in consequence thereof. * * * The

strongest case in illustration of the principle, that nations who buy their supplies from abroad never accumulate capital, and all the time remain poor, is found in the history of these United States. We have had a valuable agricultural product all the time, including our staples, and have annually expended it abroad, in buying such things as we should have made at home, and have saved but little capital; because it took our whole ability to supply ourselves with necessaries and luxuries from abroad, which are consumed, leaving not a wreck behind. Our effort has been to make the two ends of the year meet, and prevent balances against us. Have we done this? The worst is to come; and when our present circumstances speak, will show a sad case of debt and thraldom, worse than the spendthrift, who, after using up his income, finds himself in the hands of the Jews and usurers. England, after finding that we had not only spent our income with her, and anticipated it by one or two years, and that we had gotten into such an extravagant way as to want more—ten times more, if we could get it—met this want up to all the available credit that we had after our means were exhausted. The evil did not stop there. She agreed to take, and required us to transfer, all the stocks that were available, and promised some dividend to her, including our national, state, corporation, and the one thousand banks that we had started. When all this was done, and the dividends gone from us for ever, as well as the principal, and we still wanted more! cried aloud for more! must have more! the plan was then hit on to call up the states, these sovereignties that stood behind the crowd, and urge them on to useless and empty consumption, and get them to borrow millions under the semblance that they could expend them in developing the country. These sovereignties, urged by demagogues who knew that they would have the handling of the money, came forward and put their sign-manual to loans amounting to two hundred million dollars, and issued, with much parade, bonds and stock to that amount, bearing on an average six per cent., payable semi-annually, or quarterly even, in England, if required. This money reached this country principally in the shape of trashy goods, at two prices, and such things as we either did not need or ought to have made at home, but which we consumed and sunk for ever. That two hundred million gave us that much more ability to buy and consume English goods, which she very well knew, and every cent of it returned rapidly to Europe, principally to England, sure enough, after more goods. So rapidly did it hurry back, that it made no improvements in the country in the shape of cities, farms, schools, and substantial comforts; merely half dug out some canals and ways for roads, and built some board shantees in which to sell liquors and English goods to the laborers, who pretended to be making great works.

"What are the facts now? We wake up to debts enough to weigh down our industry for the next fifty years. The states owe in their sovereign capacity two hundred millions; half of it not even paying interest from sheer inability, ten millions of it repudiated, and disgracing in both cases our free institutions and nation. Of bank and corporation and national stocks, besides, two hundred millions held in England, and the individual indebtedness, amounting abroad to fifty millions, making in all the enormous sum of four hundred and fifty million dollars owed abroad, and for what? such things as we might and ought to have made at home. Half of the works aimed at are not finished; such as are completed subserve Europe perhaps nearly as much as ourselves, by letting her into the very bosom of our country, to poison and corrupt still more our very principle of action. We are now paying to England, in the shape of interest and dividends, not less than fifteen million dollars annually, which will keep us poor for an age to come. The expending, or rather paying for it, is now not even an outlay; fifteen million dollars abroad hurts us worse, prostrates us more, than paying to one another one hundred millions would; for then the money is still in the country, and a part of our capital; in the other case it is gone for ever.

"There is no calculating such differences; they appal when run out into their details. I would lay it down, then, as a plain principle, and a case proved, that a nation that supplies itself with articles of necessity or even luxury from abroad, will never accumulate capital or get rich, can only hope to meet the balance annually. I will further assert, and appeal to experience in support of the fact, that they do not meet their balances, but are invariably in debt abroad. I will also assert, and prove it, too, that all increase of capital, all issue of stocks, or loans made by a nation thus circumstanced, is death to her; for all this, too, travels abroad for goods. I will finally assert, that these operations indefinitely postpone the time when such nation will supply itself, and give to it so much discredit and such innumerable bad habits and factitious wants, that she can scarcely ever be available for practical and economical purposes, and stands mortgaged and bound for ages to her successful and laughing masters and rivals.

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"It is bad enough to depend on foreign countries for luxuries, or such things as our country can not produce; but wo to that nation that buys its necessaries abroad! * * * To save sixty million dollars a year, which is tantamount to making it, would enrich this nation very fast, and leave us a completely comforta ble people.

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"It is contended and used as an objection to the protecting tariff, that 'if we make our own supplies up to the full, Europe,

and England in particular, would not take our raw materials.' They pretend that she does that on the principles of reciprocal trade, and takes our raw things, as far as we take her goods. This is not true; for they take no more of our things, at any rate, than they want, and must have. The idea of mutual interest never entered into their calculations. They shut their ports against our provisions and corn, and against all of our manufactures, by such high duties, that none scarcely go in, and yet clamor if we attempt to supply our own wants. This is reciprocity with a vengeance History could not furnish an instance of more selfishness than Eng land manifests, or more arrogating injustice. We have the meanness, too, of not only not countervailing it, but actually contributing to keep up that one-sided state of trade. Our anti-tariff politicians, are as much playing into the hands of the English, in all their measures, as if the words were put into their mouths by England, and our laws penned by her, too. It is strangely inconsistent that a party should exist in this free country, in one breath abusing England with fixed hatred, and in the next moment contributing to all her injustice, and even preferring her interests to New England, as to manufactures. I have witnessed cases where English goods of a worse quality, and dearer, were preferred to better goods from New England. England goes on the principle of buying nothing but raw materials, or such tropical or southern luxuries as she can't produce, and buys them invariably where she can the cheapest. * * * Is it not surprising, and past all belief, that our greatest men from the south, and many of the leaders of party, should have risked their reputation for thought, and character, and consistency, so far as to have asserted, on the floor of Congress, that 'unless we take our supplies of goods from England, she will not take our raw cotton?' And further, that 'because the export of cotton gives us most of our export value, it must pay and does pay one half of all the imposts'—that 'the growers of it do to that extent,' they say, 'pay the taxes of this government.' * * * We send to Europe about 1,700,000 bales of cotton now, and take back in the shape of cotton goods of all sorts, from every nation, only 60,000 bales in all. I prove this in this way: our customhouse furnishes the data that we are now importing but eight million dollars' worth of cotton goods from the whole world. Now, by casting our data upon the difference of the raw and wrought value of cotton, we can come at the fact. The wrought value of such fine goods as we take from Europe, is six times the raw. Now, if eight million dollars buy the wrought, by the inverse rule of three, what must the raw, entering in it as one to five, cost? The answer is, about 60,000 bales. This fact would have astonished those great politicians referred to, if they had ever extended their minds so far, or if their prejudices would have suffered it. Were our custom, therefore, withdrawn from

England, it would not be felt much. This fact bears directly on the idea, that England will not take our cotton unless we take her goods, and shows its emptiness. England wants our raw cotton for her other customers and her own consumption, and must have it. She is now consuming 30,000 bales a week, and must have all of 1,500,000 bales to make up her quota and prevent her spindles stopping, which would be spasms and death to her in these times of general thrift.

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"Let us now calculate what cotton can be grown for, when prices get down to a mere support for master and slave. With the proper economy, by the owner living on his place, deriving his household and table expenses from it, and clothing and feeding his own slaves, his annual expenses, counting salt, iron, medicines, taxes, wrapping for his cotton, and overseer's wages, do not exceed two cents a pound on the product or crop; all over that is profit in their sense, that is, over and above annual expenses. I will give the details to make this clear. A plantation of fifty hands, makes the average of seven bales to the hand, weighing four hundred and fifty pounds; this is three hundred and fifty bales. Suppose two cents for expenses; this amounts to $3,150 on the crop. This crop, say, sells for four cents a pound net, and, clear of charges for transportation, insurance, and commissions for selling, leaves $3,150 profit for the luxuries of the owner, who gets his necessaries out of the plantation by living on it. This is a very pretty sum; and half of it would be ample for him, which would reduce cotton to three cents. As to insurance, unfortunately, the slaves not only insure themselves, but give a large increase, which grows up with the owner's children, and furnishes them with outfits by the time they need them. Now I will go into a calculation to show that two cents a pound cover the annual expense. Here follow the items, taking a plantation of fifty hands as a basis: for overseer, $500; for salt, $20; iron, $30; medicines, $20; doctor's bill, $100, for you can contract by the year, and it is often done at two dollars a head; bagging and rope to wrap it, at twelve and a half cents for the one, and five cents for the other, amount to $300; taxes, $100; sundry small things, $100, all told. (The writer speaks from experience, for he is a planter of cotton and owns slaves.) All this amounts to $1,170, much below the allowance of two cents a pound, amounting, as we have seen, to $3,150. I only wish to show that we can grow cotton *at three cents a pound, and have a living profit.* * * * The cotton culture then is sure to go on in this country, at any price, from three cents up, that the market warrants, and with increased energies. These facts warrant us in asserting, which we do broadly and unqualifiedly, that we can grow cotton cheaper than any other people on earth, not even excepting the Hindoos. The consequence of

this will be, that we will take the market of the whole world, and keep it supplied with cotton. * * * I am not speaking hypothetically, when I say the United States can grow all the cotton wanted—have slaves and land enough to do it, and even overdo it. This country can raise three million bales, just as easily as it now does two millions, when that much is wanted, and then keep ahead of the consumption far enough to *prevent any advance in the price.* * * * If we keep cotton down, not to its minimum price, but to five or six cents, it will cease to come around the cape of Good Hope, and the United States have the market of the world just as certainly as at three cents. * * * She [England] dare not decline taking our cotton, for it is cheapest, and because she has built up her manufactories on the minimum price of the raw material, and buys it wherever cheapest, and has conformed all prices of labor and goods to that principle. England has in France and Germany, as well as in us, rivals to her cotton manufactures, and such skilful rivals, too, that she dare not pay more for the raw material than they do. If she were to pay two cents a pound more for cotton than we do, or than the continent of Europe does, she would lose her hold on the cotton manufacture, and her opponents would take her markets. *The half-penny-a-pound duty now levied in England, will have to give way to insure her success.* * * * According to the opinions of our most deserving and most skilful commission merchants and factors, our own spinners are now worth fully *two cents a pound* to the cotton market each and every year, by the competition they create with the Europeans. * * * Fears have been expressed, that 'should we get under way by the stimulus of a protecting tariff, we would not only pass the dead point, but go ahead beyond our own consumption, so as to aim at supplying the whole world with manufactures.' * * * Such arguments cut like two-edged swords, and show how much might be done under protection.

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"*Five hundred thousand laborers put to work*, with all the aids of machinery, could, according to estimates well established from facts in England, produce two hundred million dollars' worth of goods. If we went up to the consumption of the country only, less than one half of this sum would produce much wealth and prosperity, and work wonders upon this nation. If we went beyond the home supply, the overplus would be the means of a vast barter or trade with South America, the West Indies, the Levant, and China. We would use the foreign market then as England now does, that is, to vent surplus manufactures upon. Our home market would increase much and rapidly from the increased ability all this would give, and the thousand springs of industry that would be touched by the operation, including its transportations, storages,

commissions, agencies, and all concerned in such extended transactions. * * * There is no interest that ought to hail the establishment of manufactures louder than this [cotton], both in reference to its supplies and markets; yet nearly all the growers of this great staple are extremely hostile to manufactures. It is discouraging to a patriot and a political economist to see this hostility from so enlightened a source—to see that prejudices and party do carry on blindly a whole people to the most suicidal acts, without giving them time to think and calculate their own interests. The shelves of every merchant would convince them, if they would look, that all their supplies are already cheaper, and better in quality, and better fitted for their purposes, than they were formerly; and this brought about by a partial or very imperfect carrying on of manufactures. Their own factors tell them that the American spinners, by their competition, are worth annually two cents to the cotton market. Reason, too, tells us that a great deal more cotton is used now by the circumstance of the Americans making coarse goods, weighing heavier, and out of our own cotton, than would be if we got those things from England, because she would make them much lighter and out of the worthless Surats. Our taking the coarse-goods market from England will banish altogether these Surats, because they will not do for fine goods such as then would be left to England to make. * * * Nothing has led me so much to despair of this country and its institutions, as the want of thought and the right understanding of their interests that these otherwise enlightened and independent cotton-growers have manifested, and their disposition, in the most reckless way, to throw all to the four winds, and their own interests among them. Manufactures can not fail to benefit all raw materials. An increased consumption of cotton in any part of the globe, in the present free and enterprising intercourse, will be useful, because markets find their level; and let a vacuum or demand be created in any quarter of the globe, the article would rush in to fill it.

"We have extra labor enough to grow all the silk that England and the north of Europe need, cheaper, and of a better quality than Italy and France can furnish. The sort of labor that we are putting to the silk culture, consists of women and children, such as will not be missed from our agricultural operations. * * * The first duty of all good government is to look to its labor—insure it not only full occupation, but the greatest productiveness. Political economy abhors idleness worse, if possible, than nature does a vacuum. It is worse than a vacuum, because gravity rushes forth to fill the vacuum; but idleness is a grave where lies dead and buried the creative genius of man—the means given to him by the God of nature to improve his condition. * * * It would appear to one dropped from another world, unacquainted with all our interests and resources. that our whole

Congress or national legislature were taken or subsidized by Europe to favor all their productions or operations exclusively—even to the total disregarding of those of this country. It would seem to such that Great Britain sat enthroned in all our legislative halls, and dictated all their enactments regulating industry and a tariff; and if told otherwise, could not be made to believe that some laws and most important regulations were not the results of bribes on the body politic by the superior wealth and foresight of older and wiser nations. Every idle finger will be pointed some day against those short-sighted and unpatriotic legislators, who left it in sloth, and to vice, and mischief, instead of stimulating it to proper action and usefulness. * * * Capital, when not permanently invested, merely seeking interest annually, is almost sure to do more harm than good, because those branches most depressed and in debt, are the first to come forward to take offered loans, to pay their old debts, under a hope their business will revive so as to justify the transaction. Alas! soon they become convinced that the capitalist will absorb all and end in a break-up for both. * * * This country, like a young giant, knows not its strength or its resources, because it has never exerted the one or examined the other. Nothing is wanted to bring forth all this, but a permanent policy, a certainty of protection, a security of the home market. All would then come forth and show themselves—capital, labor, raw materials, a market, wealth, comfort, elegance, taste, and independence. As soon as confidence was established, they would flash forth, as the gas-lights when touched by a match. No country is underlaid so universally with valuable minerals; and they lie in its extended fletz or secondary formation in horizontal strata, that can be followed into the thousands of hills and ridges, and, lying above the valleys, can be poured forth, without shafts or drainings, to the fertile plains, water powers, and navigations, that are there found. Had this young giant, with its free limbs, hold of these mines of wealth, in the real skilful way, he could glut or monopolize all markets, both in the raw and wrought state. These hidden treasures need a protecting tariff to uncover them—its inducement to make them available, and wiser statesmen than we yet have, to put all in train, and on the certainty of the reality. * * * The raw materials give much more support to lines of intercommunication, than the wrought goods that a country needs. In the carrying of raw materials and agricultural supplies to our manufacturers, and interchanging with them for their goods, the whole operation is American, and as gratifying as profitable to Americans. When, however, a selfish foreigner uses them to start along his flimsy drygoods, perhaps half smuggled in, too light and useless to pay much toll, yet valuable enough to greatly tax our industry, if bought and used, the scene becomes changed, and the patriot feels that such great works are prostituted to unworthy purposes.

for which they should not be constructed or intended. The interchanges that would go on between the agriculturists and manufacturers, and the growers or producers of the raw materials, and those who give to them available shapes, or ship them off to a foreign market, would be great, and offer a most pleasing picture of prosperity. * * * Commerce has as deep an interest in securing the home market and supply as manufactures can have—they are both taken up in supplying it, *par nobile sororum*. * * * *Commerce has no patriotism in it, when based upon foreign supplies.* * * * Had we not seen and felt the truth of the fact, we never, *à priori*, would have believed for a moment, that any nation would, by a brave and bold effort, establish liberty and independence, without immediately, as a first principle, looking to and insuring, by proper laws and protection, the production of all things necessary to the daily wants of the people, and the independence and defences of its government. These United States have too truly shown a case to the contrary of all this; and, after a struggle that called down the applause of all the world upon them, have slouched on in their productions and consumptions, as it were by accident, regardless of any system that covered their wants, secured their independence, and guarantied wealth. When we did awake to these things, we found our hands manacled by foreign ties and bonds, and domestic party spirit, in such a way that we could not act.

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"We, or rather our politicians, or, more properly still, our demagogues, have always been too busy studying party interests, and too much under the influence of party spirit, to think enough about the great relations of commerce and manufactures, to understand them, or know anything about their bearings. Hence our manufacturing interests are a foot-ball, continually banded about, and up and down, until no one knows on what to count. * * * When the fulcrum is furnished by nature's God to this young Archimedes [the United States], it still fails to move the commercial world. Our commerce, if we demanded it, might double with England around the great capes of South America and Africa, and sweep the bays of Bengal and Bombay, scour with her the West Indies, run with her through all her various colonies, and in every port, place, colony, or mother-country, be a part of herself as to facilities secured by treaty. No nation could gainsay us, for we would be in possession of all seas. No nation could war upon us, for we would be full of resources and wealth. No nation could countervail us, for we would control all the productions necessary to her existence. We would stand on high and enviable ground, placed there by our own wisdom, that made use of natural advantages and resources too valuable to nations to be placed on any doubtful footing. This young Hercules, that stran-

gled not the serpent in its early grasp, will fall like Laocoon in the foldings of its wrath.

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"*One third part* of the people who produce a raw material, cotton, wool, iron, hemp, silk, tobacco, flax, or any other such things, can and do work them up, and impart to them, by the operation, *five values*. In plain mathematics, one manufacturer produces in value, or money, five times as much as the one engaged in raising the raw material. * * * All the profits of commerce are incidental, and have reference to its basis and support. Like the light of a satellite, the profits of commerce are borrowed and reflected, not inherent as the centre sun of business, not creative as the producers are. * * * England has, for instance, four hundred millions of money spinning cotton, and makes *fifty millions of profit*.

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"England stands at the head of the list, both for wealth and manufactures. She lives in wealth and luxury, and has capital enough to buy the world, if offered for sale. In other words, she has as much money as all Europe besides. The question naturally arises, how did she acquire it? Not by her agriculture, for the utmost that it ever did was to feed and support her, and now does not do that much. Not by her fisheries, for they barely supply her with the luxuries and products of the ocean. Not by working gold, silver, and diamond mines, for she has none of them. It is the fruit of her labor, her manufacturing labor and skill, and the commerce that is based upon it. * * * England, her writers say, has a clear income in money, after supplying herself every year, of two hundred millions to add to her capital; whereas we have not one cent, and often fall in debt and behind, after supplying and buying what we ought to make at home. * * * 'Let us have our workshops abroad,' said the worst politician [General Jackson] that ever a nation was cursed with. We have them abroad, by his influence mainly, and our masters are there, too; for we have been all the time dependent on them for our necessaries. As well might we say, let our capital be abroad—let our liberty, our independence, be in foreign keeping. Had he lived to the age of a patriarch, under full penitence, he could not have atoned for all the mischief he entailed on this nation, and the disappointment the friends of liberty, the world over, felt, and are destined to feel, from his visionary acts and policies.

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"The staples produced in this country by slaves, say cotton, sugar, rice, tobacco, and hemp, that would have had no existence without them, for the last fifty years, have averaged fifty million dollars a year, which, in the fifty years, amounts to the enormous

sum of twenty-five hundred millions. This sum has been realized, and constituted nearly the whole of our ability with which to purchase supplies abroad. Foreign nations, England more than all the others, have got, enjoyed, and realized, in the shape of capital, this twenty-five hundred million dollars, and we have consumed it, and not a vestige of it left behind. * * * This people never would have remained inefficient had they not been flattered and lulled by the proceeds of this slave labor. It employed our shipping and commerce so much that, by the aid of our merchants, the slaveholders have governed the country, and kept back every other great interest. The country is now, or will be, in a situation like an annuitant, who, depending literally on the annuity, finds, by some revolution, that suddenly stopped. * * * Our active statesmen have turned demagogues, and are serving their own base purposes by the meanest and most unprincipled intrigues and corruption, instead of studying the true policies of the country and carrying them into effect.

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"Had we not a scouring trade with other portions of the world, that brought in some profit, or a balance in our favor, our trade with England would ruin us in a few years. It now not only takes our precious gains elsewhere, but all the spare cash we have besides, to keep it up. It is an unpleasant idea, that our active, enterprising whalemen and traders have to put in requisition all the seas, all the climates, and encounter dangers, disease, and intense labor, not to enrich us, but to meet this English balance that is swallowing up all thus raked together, as well as all at home. * * * Had we saved for fifty years the annual balance England enjoyed against us, it would have amounted to *five hundred millions*, which, realized at home, would have much enriched us, and might have put quite another face on our circumstances.

It is of little consequence, though the foregoing extracts, selected from a work of three hundred pages, are thrown out, as a sower scatters seed from his hand over the field. It is sowing light and information that few can fail to profit by. It is a new and hopeful symptom, when "a southern planter, who raises cotton, and owns slaves," can make such an argument as this. It is a light shining in a dark place, and may tend, not a little, to dissipate the shades, which have so long brooded over that wide region of the American mind. He speaks from experience, and is evidently a man that understands his subject. It is an impressive contrast, from the same quarter, to the argument of nullification in 1832–'33. He speaks "right on;" and he is "a southern planter."

CHAPTER XI.

HISTORY OF OPINION ON THE PROTECTIVE POLICY.

Opinion of Presidents in Messages to Congress.—General Jackson's Letter to Doctor Coleman.—Opinion of the Tammany Society, in 1819.—Opinion of the Framers of the Constitution—of the First Convention at Annapolis, 1786—and of the First Congress under the Constitution.

In the debate of the compromise tariff, Mr. Webster said, that the protective policy began with the tariff of 1816. Mr. Clay said, that it began with the adoption of the federal constitution. Both were correct, taken as they meant. Mr. Webster intended to say, that the then present system of tariff legislation began with the tariff of 1816, as in fact, it was the first tariff for protection in the history of the country. Mr. Clay agreed; but for the purposes of his argument, was entitled to call attention to the chief political design of the constitution, which was to lay a platform on which to build the protective policy, and to the fact that the first Congress under the constitution made it their FIRST business to legislate on the subject.

The following are extracts from messages of presidents of the United States on this topic :—

"The advancement of agriculture, commerce, and *manufactures, by all proper means*, will not, I trust, *need* recommendation; but I can not forbear intimating to you the expediency of giving effectual encouragement, as well to the introduction of new and useful inventions from abroad, as to the exertions of skill and genius in producing them at home."—*Washington's Annual Address.*

"*Congress has repeatedly, and not without success, directed their attention to the encouragement of manufactures. The object is of too much consequence not to insure a continuance of their efforts in every way which shall appear eligible.*"—*Washington's Last Annual Address.*

"To cultivate peace, and maintain commerce and navigation in all their lawful enterprises; to foster our fisheries, as nurseries of

navigation and for the nurture of man, *and to protect the manufactures adapted to our circumstances*—these, fellow-citizens, are the landmarks by which we are to guide ourselves in all our proceedings."—*Jefferson's 2d Annual Message.*

"The situation into which we have been forced has impelled us to apply a portion of our industry and capital to national manufactures and improvements. The extent of conversion is daily increasing, and little doubt remains that the establishments formed and forming, will, under the auspices of cheaper materials and subsistence, the freedom of labor from taxation with us, and of *protecting duties and prohibitions, become permanent.*"—*Jefferson's 8th Annual Message.*

"We have experienced what we did not then believe, that there exists both profligacy and power enough to exclude us from the field of interchanges with other nations; that to be independent for the comforts of life, we must fabricate them ourselves. We must now place our manufacturers by the side of the agriculturist. The former question is now suppressed, or rather assumes a new form. The grand inquiry now is, shall we make our own comforts, or go without them at the will of a foreign nation? He, therefore, who is now against domestic manufactures, must be for reducing us either to a dependence upon that nation, or *be clothed in skins, and live like beasts in dens and caverns. I am proud to say that I am not one of these. Experience has taught me that manufactures are now as necessary to our independence as to our comfort.*"—*Jefferson's Letter to Benj. Austin, Esq., Boston*, 1816.

"The revision of our commercial laws, proper to adapt them to the arrangement which has taken place with Great Britain, will doubtless engage the early attention of Congress. It will be worthy at the same time of their just and provident care, to make such further alterations in the laws as will *more especially protect and foster the several branches of manufacture* which have been recently instituted or extended by the laudable exertion of our citizens."—*Madison's Special Message, May* 23, 1809.

"I recommend also, as a more effectual safeguard, and as an encourgement to our growing manufactures, that the additional duties on imports which are to expire at the end of one year after a peace with Great Britain, be prolonged to the end of two years after that event."—*Madison's Special Message, May* 31, 1814.

"But there is no subject which can enter with greater force and merit into the deliberations of Congress, than a consideration of the means to preserve and promote the manufactures which have sprung into existence, and attained unparalleled maturity throughout the United States during the period of the European wars. This source of national independence and wealth I anxiously recommend to the prompt and constant guardianship of Congress."—*Madison's Special Message, February* 29, 1815.

"*In adjusting the duties on imports to the object of revenue, the influence of the tariff on manufactures will necessarily present itself for consideration.* However wise the theory may be which leaves to the sagacity and interest of individuals the application of their industry and resources, there are in this, as in other cases, exceptions to the general rule. Besides the consideration which the theory itself implies of a reciprocal adoption by other nations, experience teaches that so many circumstances must occur in introducing and maturing manufacturing establishments, especially of a more complicated kind, that a country may remain long without them, although sufficiently advanced, and in some respects peculiarly fitted for carrying them on with success. Under circumstances giving a powerful impulse to manufacturing industry, it has made among us a progress, and exhibited an efficiency, which justify the belief that, with a protection not more than is due to the enterprising citizens whose interests are now at stake, it will become, at an early day, not only safe against occasional competition from abroad, but a source of domestic wealth and external commerce. In selecting the branches more especially entitled to public patronage, a preference is obviously claimed by such as will release the United States from a dependence on foreign supplies, ever subject to casual failures, for articles necessary for the public defence, or connected with the primary wants of individuals. It will be an additional recommendation of particular manufactures, where the materials for them are extensively drawn from our agriculture, and consequently impart and insure to that great fund of national prosperity and independence, an encouragement which can not fail to be rewarded."—*Madison's 7th Annual Message.*

"*Our manufactures will likewise require the systematic and fostering care of the government. Possessing, as we do, all the raw materials, the fruit of our own soil and industry, we ought not to depend, in the degree we have done, on supplies from other countries.* While we are thus dependent, the sudden event of war, unsought and unexpected, can not fail to plunge us into the most serious difficulties. It is important, too, that the capital which nourishes our manufactures should be domestic, as its influence in that case, instead of exhausting, as it must do in foreign hands, would be felt advantageously on agriculture, and every other branch of industry. *Equally important is it to provide at home a market for our raw materials; as, by extending the competition, it will enhance the price, and protect the cultivator against the casualties incident to foreign markets.*"—*Monroe's Inaugural Address.*

"Uniformity in the demand and price of an article, is highly desirable to the domestic manufacturer. *It is deemed of great importance to give encouragement to our domestic manufactures.*"—*Monroe's 3d Annual Message.*

"It can not be doubted that the more complete our internal

resources, and the less dependent we are on foreign powers for every national as well as domestic purpose, the greater and more stable will be the public felicity. By the increase of domestic manufactures, will the demand for the rude materials at home be increased; and thus will the dependence of the several parts of the Union on each other, and the strength of the Union itself, be proportionally augmented."—*Monroe's 5th Annual Message.*

"Satisfied am I, whatever may be the abstract doctrine in favor of unrestricted commerce, provided all nations would concur in it, and it was not liable to be interrupted by war, which has never occurred, and can not be expected, that there are other strong reasons applicable to our situation and relations with other countries, which impose on us the obligation to cherish and sustain our manufactures."—*Monroe's 6th Annual Message.*

"The great interests of an agricultural, commercial, and manufacturing nation, are so linked in union together, that no permanent cause of prosperity to one of them can operate without extending its influence to the other. All these are alike under the protecting power of legislative authority, and the duties of the representative bodies are to conciliate them in harmony together.

"Is the self-protecting energy of this nation so helpless that there exists in the political institutions of our country no power to counteract the bias of foreign legislation; that the growers of grain must submit to the exclusion from the foreign markets of their produce; that the shippers must dismantle their ships, the trade of the north stagnate at the wharves, and the manufacturers starve at their looms, while the whole people shall pay tribute to foreign industry, to be clad in foreign garbs; that the Congress of the Union are impotent to restore the balance in favor of native industry destroyed by the statutes of any realm?"—*Adams' 4th Annual Message.*

"The power to impose duties upon imports originally belonged to the several states. The right to adjust these duties, with a view to the encouragement of domestic branches of industry, is so completely identical with that power, that it is difficult to suppose the existence of the one without the other. The states have delegated their whole authority over imports to the general government, without limitation or restriction, saving the very inconsiderable reservation relating to the inspection laws. This authority having thus entirely passed from the states, the right to exercise it for the purpose of protection does not exist in them; and, consquently, if it be not possessed by the general government, it must be extinct. Our political system would thus present the anomaly of a people stripped of the right to foster their own industry, and to counteract the most selfish and destructive policy which might be adopted by foreign nations. This surely can not be the case; this indispensable power, thus surrendered by the states, must be within the scope

of authority on the subject expressly delegated to Congress. In this conclusion I am confirmed, as well by the opinions of Presidents Washington, Jefferson, Madison, and Monroe, who have each repeatedly recommended this right under the constitution, as by the uniform practice of Congress, the continued acquiescence of the states, and the general understanding of the people."—*Jackson's 2d Annual Message.*

The following is an extract from a letter of Genera. Jackson, to Dr. L. H. Coleman, N. C., dated Washington City, August 26, 1824 :—

* * * * "Heaven smiled upon and gave us liberty and independence. The same Providence has blessed us with the means of national independence and national defence. If we omit or refuse to use the gifts which he has extended to us, we deserve not the continuance of his blessing. He has filled our mountains and our plains with minerals—with lead, iron, and copper—and given us a climate and soil, for the growing of hemp and wool. These being the great materials of our national defence, they ought to have extended to them adequate and fair protection, that our manufacturers and laborers may be placed in a fair competition with those of Europe, and that we may have within our country a supply of these leading and important articles so essential to war.

"I will ask, what is the real situation of the agriculturist? Where has the American farmer a market for his surplus produce? Except for cotton, he has neither a foreign, nor a home market. Does not this clearly prove, when there is no market at home, or abroad, that there is too much labor employed in agriculture? Common sense at once points out the remedy : Take from agriculture in the United States six hundred thousand men, women. and children, and you will at once give a market for more bread stuffs than all Europe now furnishes us with.

"In short, sir, we have been too long subject to the policy of British merchants. It is time we should become a little more AMERICANIZED, and instead of feeding paupers and laborers of England, feed our own; or else, in a short time, by continuing our present policy, we shall be paupers ourselves.

"It is therefore my opinion, that a careful and judicious tariff is much wanted, to pay our national debt, and to afford us the means of that defence within ourselves, on which the safety of our country and liberties depends; and last, though not least, give a proper distribution of our labor, which must prove beneficial to the happiness, wealth, and independence, of the community.

"I am very respectfully,

"Your obedient servant,

"ANDREW JACKSON."

In the history of *popular* opinion on this subject, the most remarkable item is to be found in the "ADDRESS OF THE SOCIETY OF TAMMANY, OR COLUMBIAN ORDER, TO ITS ABSENT MEMBERS, AND THE MEMBERS OF ITS SEVERAL BRANCHES, THROUGHOUT THE UNITED STATES, New York, 1819." Such is the title of the document. It was ushered upon the public under a solemnity and sanction of previous official action, the record of which, as a preface to the address, is as follows :—

"TAMMANY SOCIETY, OR COLUMBIAN ORDER.

"EXTRACTS FROM THE MINUTES.

"*August* 30, 1819.

"*Resolved*, That a committee be appointed to take into consideration the subjects of *National Economy* and *Domestic Manufactures*, and that the said committee draught an address and report the same to this society, enforcing the necessity of encouraging such desirable objects, and that the said address be directed through the public prints to the several branches of this society throughout the nation.

"*October* 4, 1819.

"The address on the subjects of National Economy and Domestic Manufactures, draughted by Brother Woodward, and reported by him from the committee of seven members of this society, having been twice distinctly read, at two several weekly meetings, and deliberately considered and discussed as to all its parts and consequences at four several weekly meetings, the members having been previously notified of the said meetings respectively through the medium of the public prints, it was, on motion,

"*Resolved*, That the said address be adopted, and that it be signed by the grand sachem and secretary.

"*Resolved*, That a committee of correspondence be appointed, whose duty shall be to cause as many copies as they may think proper of the said address to be printed in a neat pamphlet form, at the expense of the society, and distributed in such manner as to them may seem fit, and that they also countersign the same, and have general powers of correspondence on all subjects embraced therein, and connected with the good of this society."

The following are extracts from the address itself :—

"BROTHERS : A deep shadow has passed over our land : a commercial and individual gloom has created a universal stillness. In our remotest villages the hammer is not heard, and in our larger cities the din and bustle of thrifty industry have ceased. The philanthropist, the philosopher, the statesman, the patriot, and the good man of every description, anxiously inquire the cause.

"The cause, it is believed, is not *inherent* in the nation ; for, thanks to the Almighty Dispenser of good gifts, our country pos-

sesses the germs of interminable progression, the sources of inexhaustible wealth and prosperity. But it is justly to be feared, that the *cause* is seated in the abuse of those inestimable gifts. And if this should be found to be the truth, sound reflection, and the timous and prudent adoption of means, may turn our subjects of complaint into partial and transient evils, and their effects into a radical and perennial good. * * * Perhaps a proportion of even the present embarrassments may be traced from the first restrictive measure down to the termination of the late war, owing to the restraint of remittances and outward cargoes, and the embarrassments in procuring foreign receipts. This cause, so far as it is defined and not abused, is hallowed at the shrine of patriotism; it grew out of a principle of *national necessity and right*, to which every citizen is bound to bend with alacrity, and which the bright column of character and glory which arose out of the war casts entirely in the shade. * * * The next cause of distress is the sudden introduction of inordinate quantities of all species of foreign production, arising from false peace calculations, which have either deadened on the hands of our merchants, or paralyzed other operations; which have produced large balances against them, and extended in their effects to the immediate or indirect dealers in the remotest corners of the community. * * * The evil is within the scope of legislation, and a remedy, although simple in its character, would be universal in its effects upon the wealth and morals of the community.

* * * * * * * *

"As to the inundation of the country by *foreign goods*, that is a subject of wide magnitude, and most radical interest to the American people. A remedy for this evil would be precious as rubies to him who values the institutions of his country, and glories in its indigenous greatness. It is true that the false peace calculations constitute but a partial evil, which will in the event remedy itself, so far as the nation is concerned. And it is equally true, that each individual should import no more than he may think he can sell to advantage. But after all, it will be found, that the importations on most occasions will be far beyond our wants, which, together with false calculations and unfortunate enterprises, will create a balance against us. The remedy for all this is one most grateful to the American ear, and nearest to the American heart. It is the encouragement of our own manufactures. One objection to manufactures is, that they are established and nourished by a prohibition of the articles manufactured from foreign countries, and that the government will lose some of its impost. * * * Better to encourage a more *limited commerce*, and to an extent just commensurate to our wants, after the most magnanimous scope had been given to our domestic resources. Suppose a material proportion of the articles now imported were the staple manufacture

of the country, we would then always know the exact stock on hand, and capable of being produced, and graduate our transactions accordingly. In despite of the abstract reasoning of the enemies to manufactures in the United States, it will, upon close examination, be found, that for *cheap living* and *cheap labor*, the United States may in a short time be rivalled by no country on the globe. * * * The eastern states present many strong *inducements* to manufacture. Even the slave population of the southern states would be a facility to manufactures; and its easy and profitable occupation in this way, from the now useless child to the grown man, might advance the cause of humanity, greatly aid conditional laws of emancipation, and at last remove the greatest objection to the freedom of that unfortunate race of people, the inordinances which they might commit by coming as a deluge upon the country. * * * The mines of subterranean wealth and material which the country contains, can best be imagined from the infallible evidences which the experience of every year brings forth. The institution and wide spread of manufactures will be the strong lever to disturb their hoary slumbers, subject them to the analysis of science, and convert them to the most practical purposes of domestic comfort, while it will administer a kind of national wealth which will never forsake us. The country might then exclaim, that that government was wrong, which, fastidious of popularity and some factitious system of finance, would neglect advantages so incalculable; that that nation was unwise, which, from false delicacy to the people, and the fear of a few direct taxes as substitutes for what is indirectly paid, should suffer so beautiful a fabric of internal polity and resource to be lost to the present and coming generations. * * * The almost total absence of our own fabrics has caused the introduction of those of the most spurious kind from other countries; and it is a notorious fact, that articles to a serious amount are manufactured abroad for the express purpose of being sold at auction in the United States. By this our manufacturer is undersold, and, what is as mortifying, he is a sufferer from the frauds of strangers. The remedy against our being surcharged with foreign goods, and the means of introducing manufactures, is to *forbid entirely* the importation of articles which can be on any tolerable terms *manufactured by ourselves*. This would not only apply the cure, but, from the identity and stamps of the domestic fabrics, prevent its being evaded by smuggling. Congress should not be afraid of their too-much-favored system of *indirect taxation* upon the consumer, by impost and tonnage. It is often a golden pill to the people, and destroys the responsibility of government. This revenue, from changes in the objects of commerce, would soon find its wonted level, and, if it did not for a few years, let the public lands supply the deficiency. Those lands were not intended to put so many dollars into the treasury, but to administer to the na

ıion solid and permanent wealth—a wealth which the latest posterity will feel, and which the American patriot should be proud to bestow. All governments should remember a maxim in finance, more precious than diamonds, that, 'when the cottage is wealthy, the treasury is full.' That narrow policy, which sees all objects through the medium of the *precious metals*, and is limited to the *taste or fame* of the *fiscal officer*, and the *profits of the coming year*, is beneath the American politician.

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"Such is the extent and variegations of our territory—such the cheapness and generosity of the soil—such the facility with which sites for manufacturing buildings can be obtained, and such the aid which those sites would receive from the extensive application of steam—such the low prices of living in those places where manufactories will eventually rise, and the consequent moderate terms on which labor could be afforded—such the increasing economy with which tuition is brought to the doors of our citizens—so sinuous and diversified their enterprise—so high the inducement for the manufacturing species of emigration—and so little the necessity of affecting health, as in England and the European continent, by crowding numbers together—and withal, so free and equal our laws—that the society can not but believe, that the visions of the theorists, and, what is more to be feared, the *insinuations of the interested and designing* on the points of *practicability*, *morals*, and *health*, may be made to fall before the more rational and patriotic spirit of manufacture. * * * As to the owners of the establishments, it can never be feared, in a country like ours, where agriculture must for ages be so decisively predominant, and where commerce and the mechanic interests would so equably keep them in check, that they would ever become, by overweening influence, obnoxious to our free institutions. But perhaps the contrary would result, from the strong necessity, which for centuries will exist, of, in some slight degree, counterpoising the colossal weight of the agricultural influence, by counteractive interests.

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"To divide and conquer, is the maxim of our constitutional enemy. The encouragement of our domestic resources will make us a *united people*. This nation will become one great family, giving and taking from each other. Let us, then, treasure up the maxim of wisdom, *that concert is stronger than numbers*. Another benefit, and not among the least which would arise from the encouragement of domestic manufactures, would be the exclusion of all foreign *agents*, whether Scotch, English, French, or German. This species of cormorant character holds in its hand the capital of some man abroad, who never intends to step his foot upon our shores, and with this capital extracts from the country the profits of its traffic, on a perfect commercial equality with the American

citizen. This is continued until he accumulates a given heap of riches for himself and his patron, and then, after oppressing all around him *to wind up his affairs*, he modestly returns to his foreign home, and, retiring in opulence, contributes to the wealth and resources of that nation which might next declare war against us. This is, in fact, furnishing the sinews of war to other nations, for it would be American profits on which this agent would live in his own country. The truth is, that we have progressed so far, that we want no population, and should receive none, except those who intend to spend their lives and increase their posterity among us. As the United States are inhabited by more foreign agents than any nation on earth, in proportion to their population, it will appear, upon calculation, that this is a very improvident mode of parting with the national treasure. Banish the foreign goods as far as our manufactures, under the magnanimous care of Congress, can banish them, and the visits of those vultures would soon cease. In their place would stand the honest manufacturer, receiving a fair profit for the fabric of his own hand. But the picture of evil, arising from these foreign agents, has not been sufficiently extended. Their transactions with our citizens are often insidious and oppressive. They have not the sympathies of country or national fellow-feeling to meliorate their cupidity. In their indulgences they are actuated by *interest* alone, and in their enforcement of debts they are restrained by no principles. They are at this moment to be seen in swarms, in their visits to the interior of our country, and our remotest western waters. And such is the prejudice with which they are viewed by the honest, but embarrassed debtors in those places, that they have entailed upon themselves the name of that gloomy bird which hovers over and lives upon the carrion of the desert.

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"But on this subject of great foreign importations, let us always keep in remembrance, that even our *wealth*, as a nation, will not so much depend upon what we *may receive* from others, as upon what we can call *exclusively our own*. The farmer and landholder may also be reminded, that Manufacture is the handmaid of Agriculture. The increased value of the soil over our vast interior, would soon be felt in the rise of villages and extensive establishments, which this active and thrifty internal system never fails to produce. * * * As this society solemnly believe that the welfare of this republic is strongly connected with the encouragement of manufactures, it is fervently recommended to each member to give them a *preference*, even at sacrifice, should it be necessary, whenever opportunity offers. And this society can not here refrain from expressing its opinion of the very high and honorable effect it would have upon the people at large, were the officers of government, from the highest to the lowest, to be foremost in set-

ting this example. Those who are friends to commerce need not fear that it will *essentially suffer* from the encouragement of manufactures. The commercial capital would shift to other objects of direct or circuitous commerce, not affected by manufacture, and much increased by our becoming carriers; and a portion of our merchants, who have been tossed on the precarious ocean of foreign commerce, might be glad of an opportunity, *sanctioned by the patronage of the government*, of vesting their capital in manufacturing institutions. It would seem, too, that the progressive and rapid population of our *agricultural* territories would furnish ample ven* for our domestic manufactures; for, if the difference of price between foreign and domestic articles be not infinitely greater than *despair* itself would anticipate, the reciprocities of internal intercourse, the distance from foreign market, and the laudable pride of the country, when seconded by the patriotism of Congress, would insure an almost exclusive *domestic consumption*. Indeed, there is one flattering aspect in which this subject, of the preservation of commerce as consistent with the full extent of our manufactures, may be viewed. And it is this: that our country seems to be in itself almost an *epitome of a world*, as to the various objects of commerce and intercourse it may afford. This arises from the unexampled variety of our *climates*, productions, habits, and population, and also from the happy and magnificent indentation of the whole country by water-courses, both great and small, affording, with comparatively little assistance of art, a trading intercourse commensurate to *all* the substantial, and *most* of the sanguine wants of its inhabitants. Indeed, such is the figure and variety of this nation, that it would seem to possess all the elements of universal polity and wealth. For, strike out of existence every other country, and we should find within ourselves an ample field for agriculture, science, mechanics, commerce, and the arts. This indeed gives us the power, if we choose to cultivate it, of becoming *truly independent* of other nations: for in war we are a *defensive* nation; and this state of things, realized by the wise regulations of our government, would enable us at all times to *stand still, with the least possible prejudice*, and *wait for our enemies*. The want of reciprocity—or rather the wise internal policy of other nations as to the rights of foreign agents—the consumption of foreign productions, and the encouragement of foreign manufactures, are to us loud warnings to *draw to ourselves*, and cherish the indigenous strength with which Providence has blessed us. * * * It would be found that the encouragement of domestic manufactures in the modes above pointed out, would essentially lead to habits of *economy*, both in the *people* and the government, as such. For when this highly simple and *American* system shall have begun to operate, many concomitant habits, partaking of its character, will be seen in its train.

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"We recommend to you, brethren, to be examples of modera tion and firmness to your fellow-citizens, and to hold fast of those stern revolutionary principles which *gave*, and which alone can *preserve*, your *independence*.

"CLARKSON CROLIUS, *Grand Sachem.*

"JAMES S. MARTIN, *Secretary.*

"Countersigned by—

'JOHN WOODWARD,
"CLARKSON CROLIUS,
"JOSEPH P. SIMPSON,
"JAMES S. MARTIN,
"BENJAMIN ROMAINE,
"MATTHEW L. DAVIS,
"WILLIAM MOONEY,
} *Committee of Correspondence.*

"NEW YORK, *October* 4, 1819."

"*Resolutions of the Society of Tammany, or Columbian Order.*

"PASSED OCTOBER 11, 1819.

"*Resolved*, That, as friends to our country, we recommend to our brethren of the different societies of Tammany, or Columbian Order, the necessity, as well as moral duty, to our country, ourselves, and posterity, of refraining from every species of useless extravagance in our mode of living; especially in furniture, dress, the table, ostentatious equipage, and expensive amusements.

"*Resolved*, That we will discountenance the importation and use in our families of every species of foreign manufacture or production, which can, or may be reasonably substituted by the fabrics or productions of the United States.

"*Resolved*, That, as 'economy is wealth,' we seriously recommend to our brethren throughout the United States, a strict and rigid observance of this great moral duty in their families and social intercourse."

It will perhaps be obvious, that these extracts from the records of the Tammany society, are not made for their perfections of style, but to indicate the former position of the party which governed the country under the Jackson regime, but which afterward surrendered their judgment to their chief, and went off into the opposite extreme of free trade.

To the HISTORY OF OPINION, presented in the foregoing citations from official and popular sources, might be added the main subject of the deliberations of the first convention of delegates from the states under the confederation, at Annapolis, Maryland, in 1786, which was the PROTECTIVE POLICY: of the convention of

1787, to form the federal constitution; of the constitution itself, adopted in 1789, with powers to carry that policy into effect; and of the second ACT of the first Congress under the constitution, "*for the encouragement and protection of domestic manufactures*," &c., by duties on imports—General Washington, the president, appearing in a "domestic suit." Fifteen members of that Congress were also members of the convention that formed the constitution, and were of course well acquainted with the great purpose of that instrument, to wit, protection of American labor, industry, and arts, against foreign labor and arts. The citations already made from executive state papers, are a continued echo of the same opinion, down to 1830, excepting the elder Adams.

But the "Address of the Society of Tammany," and Genera. Jackson's letter to Dr. Coleman, are worthy of special notice. When this address was published, in 1819, the "Society of Tammany," as stated in the document, had been in existence thirty years, is still existing, and has ever been at the head of that political organization in the United States, which supported General Jackson, and followed his lead in 1833, in that violent crusade against the protective policy, which was shielded at the time only by the passage of Mr. Clay's compromise bill, and which both General Jackson and they had previously and so earnestly advocated. It was the main object of the "Address of the Society of Tammany," in 1819, to advocate this policy. Taking the foregoing extracts from their address of 1819, as a sample, it can not be denied, that they have instructed the public by the clearness and force of their reasoning, that they have furnished a laudable instance of zeal in a great and good cause, and an edifying example of patriotism. The only exception that can be taken to it, is, that they stood more than ERECT, were a little more than ORTHODOX, on this subject. The sense of suffering and public wrong, felt at that time, by the grievous evils of free trade, are their apology for this excess of zeal. They advocated a PROHIBITORY tariff, and proposed that the United States should retire within themselves, and constitute their own world!

From the date of General Jackson's letter to Dr. Coleman, it will be seen, that he was not satisfied with the tariff of 1816, nor even with that of 1824, and that, by "a JUDICIOUS tariff"—this is the origin of the phrase—he meant something more than either. He reasons like a man, talks like a patriot, in deep sympathy for the condition of the country, which then had not begun to feel the

restorative effects of the tariff of that year—1824. Why he should afterward have apostatized from this faith, and led off the men of "Tammany," in a war of extermination against this policy, is a problem for history, and is at least partly solved in other parts of this work.

General Jackson s proposal in this letter, which he calls the "remedy of common sense," viz., "take from agriculture in the United States six hundred thousand men, women, and children"—that they might be put to manufactures and other useful arts—has been executed; and his prediction, that it would "at once give a market for more bread stuffs, than all Europe now furnishes us with," has also been much more than realized.

Taking the annual report of Mr. Ellsworth, commissioner of patents, for January, 1845, as to the *quantity* of agricultural products of the United States for 1844, and reducing them to the prices current of 1845, it will be found, that the aggregate value of the products of 1844, in round numbers, was $500,000,000; and that the aggregate value of the following articles, to wit, corn, wheat, cotton, hay, oats, potatoes, sugar, tobacco, and rice, by the same rule, is $400,000,000. The annual average exports of the United States may be assumed to be about $100,000,000, of which the products of the soil are about $75,000,000, or *one seventh* of all the agricultural products. Of these exports, somewhat over two thirds is cotton. For the year ending 30th of June, 1844, the exports of cotton amounted in value to $54,063,501. The honorable Charles Hudson—a gentleman of reliable accuracy—stated on the floor of Congress, in 1842, that the consumption of Massachusetts alone, of the products of other states, in one year, was as follows:—

Cotton, 185,000 bales	$7,000,000
Flour, 620,000 barrels	4,000,000
Corn and other grain, 8,730,000 bushels	2,800,000
Coal, 175,000 tons	1,300,000
Wood, 189,000 cords	1,300,000
Wool, 8,000,000 pounds	3,200,000
Lumber of all kinds	7,600,000
Beef, pork, hams, lard, butter, cheese, horses, cattle, pig lead, tar, pitch, iron, sugar, molasses, rice, staves, and other articles	14,800,000
Total	$42,000,000

The rest of New England is supposed to consume annually of the products of the states west and south, about $50,000,000. New England alone, therefore, in consequence of her manufactures, me-

chanic and other arts, affords a better market for the products of the country, chiefly agricultural, and including cotton, than all the world foreign to the United States. The market of all the other states, created by the same cause, is probably equal to that of New England, and throughout the Union this home consumption is annually and rapidly increasing. In 1832, home manufactures consumed two hundred thousand bales of cotton; in 1844, four hundred thousand. The present (1845) home consumption of raw cotton, is estimated at one fourth of the entire product of two millions of bales, by which the wrought value, which is four or five times the value of the raw material, and all the costs of export and import, are saved to the country, besides the market and other business which the factories afford to agricultural and other pursuits.

This plan of General Jackson, therefore, in his letter to Dr. Coleman, in 1824, has been accomplished on a scale far beyond his conception at the time, and the happy consequences then predicted by him, have followed, *though not by his instrumentality*—followed in spite of all his subsequent hostile influence, armed with the power of the chief executive of the nation.

The effect of General Jackson's influence, as derived from the means of his elevation, and from his power as chief magistrate, was, that it robbed the nation of its sound judgment, and charged it with prejudices, by appealing to the lowest passions, and setting the poor at war with the rich—a state of feeling which will probably take half a century to rectify, if it is ever done. How else could the "Society of Tammany," and the party they controlled, have been driven so entirely from the ground they occupied in 1819? The true policy of the country was never stated better, or more distinctly developed, or more boldly advocated, than by them at that time. Their good sense, untrammelled by extraneous influences, moulded into shape, and stimulated to action, by the common and wide-spread calamities of the country, hit upon the true policy, marked it out, and put it forward more boldly than any form in which it was ever presented by a statesman. It was a movement of the people, which is not addicted to the cautious language of statesmen. General Jackson, in his letter to Dr. Coleman, echoed the same policy. But a few years afterward, occupying a favorable position, he seized the mind of his great and triumphant party, snatched from its deep foundations this wholesome and sound doctrine, which had grown up there in its primitive

and natural bed, and scattered it to the winds of heaven. Instead of being guided by their own judgment, the people were thenceforth, for a protracted period, swayed by the will of a leader, till they lost sight of the landmarks which they themselves had set up. "Democracy" was then transformed, imbibed an unwonted spirit, to be led and governed, instead of leading and governing—was fashioned into a TOOL.

But it ought not to be assumed, that the public mind can never be brought back to that *genuine* democratic feeling and independence of judgment, which characterized the eloquent and vigorous "Address of the Society of Tammany," in 1819. When this personal influence of one man shall have died away, when the prejudices he infused into the popular mind, so utterly subversive of common judgment, shall have subsided—unless other equally fatal influences shall come in to prevent—it may be hoped that reason will resume her seat, and common sense her empire. As the "Society of Tammany," with the whole country, had been taught by sad experience, when their address of 1819 was sent forth, there has also been experience enough since that time, to reinculcate the same lesson, and restore sanity to the public mind. Let the same party that was thus led astray, read their own words, and let them have a chance to reimbibe their own spirit, of former years, and their own democratic pride and self-respect will carry them back to that solid foundation, on which they once stood.

The design of this chapter, was not to go over the wide field which the head of it might seem to promise; but, first, to exhibit some of the authorities on this subject in the public history of the country; and next, to show, from an authority which can not be controverted, the position on the protective policy, which, in their early history, was occupied by the party who supported General Jackson in his attempts to break it down, and who, since he led them astray from that sound doctrine, so ably vindicated by them in 1819, have been so violently opposed to it. This history is instructive, and shows, that they were led off by authority, and not by reason. General Jackson, as will have been seen, at the same time, occupied the same ground of fidelity to the protective principle, which also proves, that, if he had good reasons for maintaining that position then, he had not afterward any good reason for abandoning it. The causes of this change have been exposed in other parts of this work.

CHAPTER XII.

POLITICAL ECONOMY AS IT RESPECTS THE PROTECTIVE POLICY.

Protective Duties not a Tax, but a Rescue from Taxation.—A Sketch of Taxation in Great Britain.—Adequate Protection saves the Country fifty per cent. in the Cost of Articles protected.—The Parties who Realize this Saving.—How the Protective Policy distributes its Benefits to all Classes.—Meaning of the Balance of Trade.—History of its Results against the United States.—Its Results in Favor of Great Britain.—Effects of the Tariff of 1842.—Importance of Domestic Commerce.—The Protective Policy necessary to countervail the Machine Power of Great Britain.—Necessary to the Capital of Labor.—How the Nation ran in Debt.—Relative Position of European Capital and Labor to American Capital and Labor.—The Laissez-Faire Principle.—Great Britain not returning to Free Trade.—The only Way to have a Sound and Adequate Currency.

It is not proposed, under the lead of the general head of this chapter, to plunge into the entire range of political economy, but only so far as it comprehends the protective policy, and grows out of the long debate which Mr. Clay has, during his public life, maintained, on his part, before the country.

Vast as is the field that has been surveyed under his guidance, and overwhelming as are the facts and reasonings adduced by him in vindication and support of his views on this subject, there are yet other considerations and other facts, appertaining to this policy, which may deserve some notice—not, indeed, as indicating defect in the arguments of Mr. Clay, but as mere accretions to the nucleus which he has formed, such as time and events have suggested and brought to light. Some of them, indeed, are points which he has noticed, but for want of opportunity, has not so much elaborated.

The importance of the question, whether protective duties are a TAX on the consumers of articles protected, is vital to the controversy—is, in fact, to a great extent, THE controversy. And yet it is assumed by one side, that they ARE a tax, and this is the ground of objection. It has also, to a great extent, been conceded by the other side, and the battle has been chiefly fought on false issues, or issues superfluous, embarrassing, and tending to perplexity, in diverting the parties from the true ground of debate.

Mr. Clay has with great candor admitted, in a part of his speech of February 12, 1833, that "in general it may be taken as a rule, that the duty upon an article forms a portion of its price." But this was an incidental remark, candidly rendered, in connexion with a showing of an unwarrantable, because uncertain and unreliable, conclusion arrived at by the secretary of the treasury, as part of the basis of his estimates. It is on account of the fallacious character of this technical proposition—which may be allowed to be technically correct, though practically deceptive—that this part of the estimate of the secretary, based on the assumed principle, that duties are parts of prices, was justly arraigned by Mr. Clay; and if it had occurred to him at the moment, or been thought necessary, he would probably have shown the fallacy or deceptive character of the rule. That he so regarded it, is plain from his own words: "Now no calculation can be more uncertain than that." But the proposition, as a technicality in political science, is applied alike when the consumer gets the article cheaper in consequence of the duty, as when he pays more. But Mr. Clay has proved abundantly, that the operation and effect of the protective policy in this country has generally been to cheapen the articles protected, by extending the range of competition, and increasing supply relative to demand. In the early history of infant establishments, protected by duties on imports, prices of the articles thus protected may, in some, perhaps in most cases, be, for a time, enhanced; but it does not follow, that even then they are a tax to the consumers. The consumers may be benefited in finding a market for their own products, in consequence of this protection, to a greater amount than the increased prices on these articles. This is a sound doctrine of political economy, and is the invariable operation of the protective policy. The benefit may not fall precisely, and in exact measure, where it is due; but sooner or later, directly or indirectly, in one form or another, all consumers of protected articles, thus enhanced in price, will get their equivalent. How much more are the consumers of protected articles benefited, when these articles are cheapened in consequence of protection?

The technical proposition, therefore, that duties form parts of prices, seems to lead to practical error. It can not, except in certain cases, be true, as for example, it is not true when the duties are greater than the prices. Mr. Clay mentions an instance when duties on lead were two to one of the price. It is absurd to sup-

pose that such duties enter into the price. On unprotected articles, when imposed for revenue, generally, this rule applies, though it is not a certain and exact measure. On protected articles, it is rarely true, and never in any case can it be a reliable measure.

The false notion, that protective duties are a TAX, in the sense of a burden, has led to all the hostility which the protective policy has encountered. To arrive at the truth, the proposition should be reversed, and read thus: *Free trade, on one side, leads to a system of taxation by foreign powers and foreign factors, and the protective policy operates as a rescue from and a shield against such wrongs.*

On account of the importance of this proposition, it may be well to spend a few words in illustrating it. In the first place, when a manufacturing nation, like Great Britain, has gained an exclusive market for any of its products in a foreign country, the factors are able to command their own prices. The home government, aware of this, imposes exorbitant excise and other duties on these articles, all of which, in *such* a case—there being no competition—enter into the prices, and are paid by the consumers. Suppose the consumers are citizens of the United States. It will follow, that these taxes, amounting to not less than 50 per cent. of the cost, are paid by American citizens, for all that they consume of such articles, to support the British government, established church, aristocracy, and all other institutions of that empire. It is a TAX—and an enormous one—without disguise or qualification. Such was the actual condition of the American colonies previous to 1776. Though the evil has been relieved since the establishment of American independence, it has never been entirely abated. The United States have always been one of the best customers of Great Britain, on such terms as to pay all the British imposts and excises on the articles consumed.

To show how the people of the United States have been taxed as customers of Great Britain, in the consumption of her manufactures, it is only necessary to exhibit, as nearly as practicable, the average amount of her imposts on the raw material of her manufactured products, and of her excises on the implements and business of manufacture, through all stages to the final act of export. The following extracts from a congressional document of the house of representatives, No. 296, 3d session, 27th Congress, pp. 500–501, may serve as a basis of this calculation:—

"England levies no direct taxes upon her colonies, or rarely is it done. But by *indirect taxes* they give *four fifths* of their productive wealth to the support of the mother-country. It was that support which she derived from the thirteen [North American] colonies, and it was for that alone she resisted their independence. She desired to *produce*, and that they should be forced to *consume;* and of all that they consumed, at least *four fifths* went into the national treasury at home, after supporting her farmers and mechanics. . . . It is generally alleged, that a man pays 15 shillings for the use of government, out of every 20 shillings he spends in England. Some have stated the public tax at 17 shillings in the pound. Let us take one instance in the article of beer. The land pays a tax; the barley, when malted, pays an excise of sixpence a bushel; hops pay one penny a pound; the beer, when brewed, pays an excise greater, in some cases, than the original value; all the persons who labor in the premises contribute to the national revenue, by their sundry consumptions, to the amount of *three fourths* of the whole price of their labor. It follows, then, that the people of this country contribute in like proportion to the support of foreign governments, upon all that they purchase. In 1836, we imported more than $70,000,000 worth of foreign articles *free of duty*. The effect was, that they who purchased these articles, paid not one cent to the support of our own government, while at least *four fifths* of that amount went into the treasuries of foreign governments, to support kings on their thrones, parliaments that make laws prohibiting our productions, and foreign armies and navies."

It is supposed by the writer of these pages, that the above estimates of indirect taxes paid by British colonies, and of the public domestic tax of Great Britain, may be too large. It is at any rate large enough for the purpose now in view, to reduce it to an average of fifty per cent., which could doubtless be maintained. It will be seen, that all these taxes must necessarily enter into the prices of the articles to the consumers in foreign countries, beside the profits of the manufacturer, the costs of transportation, and the charges of jobbers and retailers.

The following rhetorical sketch of British domestic taxation, ascribed to the pen of Henry Brougham, now Lord Brougham, could not have been without foundation, considering the quarter from which it comes, and though it furnishes but few specific facts, is not less instructive, than eloquent:—

"Taxes on every article that enters the mouth, or covers the back, or is placed under the feet; taxes upon everything that is

pleasant to see, hear, feel, smell, or taste; taxes upon warmth, light, and locomotion; taxes on everything on the earth and the waters under the earth—on everything that comes from abroad, or is grown at home; taxes on the raw material, and on every new value that is added by the labor and art of man; taxes on the spices that pamper man's appetite, and on the drug that is administered to his disease; taxes on the ermine that decorates the judge, and on the rope that hangs the criminal; taxes on the poor man's salt, and on the rich man's dainties; taxes on the ribands of the bride, and the brass nails of her coffin;—*at bed or at board, couchant ou levant, we must* PAY. The schoolboy spins his taxed top; the beardless youth manages his taxed horse, on a taxed saddle, with a taxed bridle, on a taxed road; and the dying Englishman, pouring his medicine which has paid seven per cent., into a spoon that has paid fifteen per cent., flings himself back on his chintz bed which has paid twenty-two per cent., makes his will on a stamp that has paid eight pounds, and expires in the arms of an apothecary who has paid one hundred pounds for the privilege of putting him to death. His whole property is then taxed from two to ten per cent. in probate, and large fees are demanded for burying him in a church. His virtues are handed down to posterity on taxed marble, and he is gathered to his fathers to be taxed no more."

The last is a questionable statement, judged by the preceding one. If his marble monument is taxed, he is taxed till the morning of the resurrection, if marble can last so long. It would seem, according to this, that the Englishman is taxed for the privilege of coming into the world, taxed all the way through the world, and not only taxed on his passage out of the world, but EVER AFTER! But according to the table exhibited by Mr. Clay, cited in a former chapter, he can afford it. His industry is protected by his government, and all the world, foreign to Great Britain, with which she trades, bears the chief burden of her taxes, as the result of her policy.

The taxes paid to Great Britain, in countries foreign to herself, by the consumers of the products of her manufactories, amounting to not less than fifty per cent. of the cost, will exhibit the range open for reduction of prices in the protected articles of American manufactures, and for other items of saving to the people and government of the United States, under adequate protection. It may be assumed as an average of fifty per cent. under the system of commercial intercourse now and of late existing between the two countries. Of course, though the American tariff were much higher than it is, so long as it is not prohibitory, and so long as any

fraction of this fifty per cent. remains for the British exchequer, the trade is beneficial to that government and country, and will be desired. It will be seen by this view, that the protective policy of the United States, encouraging and fostering domestic manufactures, so that they can come into competition with British products, and rival them, not only in the home market, but abroad, there ought to be and must be a reduction of prices in the articles protected. Accordingly it has been found, that such is the result. Mr. Clay proved it in 1832 and '33; and the Hon. Charles Hudson, in a report from the committee on manufactures, in the house of representatives, document 420, 1st session, 28th Congress, has proved the same thing. The following are some of the facts: The depression in the price of 23 different kinds of manufactured iron, from 1840 to 1844, ranges from 10 to 46 per cent.—average 23 per cent.—a result effected under the increase of protective duties. In a list of twenty-two different and chief materials for ship-building, such as are imported, the fall of prices from 1842 to 1844, ranges from 2 to 35 per cent.—average 17½ per cent.—all under the tariff of 1842. In a list of *nine* articles of American hardware protected by increased duties of the present tariff, the fall of prices from 1841 to 1844, ranges from 13 to 30 per cent.—average 15 per cent. The tables appended to Mr. Hudson's report go on with quotations of prices current, before and after the present tariff, in regard to numerous articles of domestic manufacture enjoying increased protection against foreign producers, and showing an almost universal depression of prices as a consequence of protection, in a measure corresponding with the above-cited instances. But the experience of the people in supplying their wants, will have been to them the most conclusive argument. The free-trade orator will in vain cry out, that the poor man has to pay *six* cents more a yard for his shirt, in consequence of the tariff, when the poor man himself is able to look him in the face, and say, "Why, sir, how can that be?—I gave only *five* cents a yard for the shirt I have on. Do you mean to say that, without the tariff, I could have got it for *one* cent a yard *less than nothing?*"

The prices on cotton fabrics, since the system of protection commenced in 1816, though it has been imperfect and fluctuating, have fallen, for shirts, from 25 cents a yard to 5 cents; for sheets, from 32 cents to 7 cents a yard; checks, from 32 to 8 cents a yard; striped and plain ginghams, from 26 to 8 cents a yard

printed calicoes, from 20 cents a yard in 1826 to 9 cents in 1844; and so on. Doubtless improvements in machinery, and reduced prices of the raw material, have had something to do with it; but these facts would only account for a fraction of the difference.

The following statement, made with great care and accuracy by a commission merchant of Boston, trading in the goods enumerated, exhibits the wholesale prices at Boston, of the principal articles manufactured at Lowell, &c., for eleven successive years, on the first of May:—

	1835.	1836.	1837.	1838.	1839.	1840.	1841.	1842.	1843.	1844.	1845.
Light sheetings....	10½	11¼	10¼	9	10¼	7¼	7	6¼	5¾	7	6¾
Heavy sheetings...	12½	12¼	12½	10	11½	8	7¾	7¼	6⅛	8¼	7¼
Light shirtings....	7¾	8½	8¾	6	7¾	5¾	5¾	5	4⅛	5¾	5¼
Drillings.....	12½	13¼	14	11	11½	9	9	7¾	8½	8½	8¼

A comparison of the average of the above prices before the tariff of 1842, with the average afterward, is probably a fair exhibit of the effect of that measure.

The following is an extract from a letter, written in 1845, by a gentleman, allowed by high authority to be "one of the most sagacious merchants in this or any other country," speaking from his knowledge and observation, in answer to inquiries on this subject:—

"The prices, however [of cotton goods], will be reduced within a year by the introduction of the product of a portion of the three hundred thousand spindles now in a course of construction. You may safely maintain that every article that can be exported by our own manufacturers, and compete with British merchandise, must be sold to the consumer at home *cheaper than it can be imported.* This is the case with every description of coarse cottons. The iron of Pennsylvania requires, and now enjoys the highest protection, and we shall have iron low enough, if the duty on it stands for seven years. There is no doubt in my mind that the country will derive immense advantages from such protective duties as will invite capital to develop the natural resources that exist around us. Iron, coal, wool, cotton, hemp, &c., we can produce in abun dance, and use them too in every shape and form that they can in England. Supply and demand always did and always will regulate prices."

It is supposed by some, that it will not take more than three years, under the tariff of 1842, to accomplish the object regarding iron, for which the writer of this letter allows seven years.

Mr. Clay has shown in the citations already made from him, HOW the protective policy operates to reduce the prices of manufactured articles, and it is seen that the facts correspond with the doctrine. There are occasional and transiently existing exceptions, arising from accidental causes, as for example the high price of the raw material. When that is wool, the American farmer has the benefit; or if the raw material be any other American product, it is all saved to the country, and in various ways distributed among all classes.

It is manifest, therefore, that duties imposed to bring American manufactures into existence, and to sustain them, are so far from being a TAX, on consumers of the articles thus protected, that they actually reduce the prices. A man who chooses to drink London porter, pays twice as much as for American porter equally good; and a nightcap of British manufacture costs three times the price of the American fabric of the same description. In these little things the prices of foreign products are still kept up, and the impositions still practised; though in most things prices have been brought down by competition.

But the saving to the country is of vastly greater importance than this difference in prices to consumers. It is the saving of the whole 50 per cent. of the cost that goes into the British exchequer, or some other foreign exchequer, not to speak of the profits of foreign factors, and costs of importation. This 50 per cent. remains in the country, instead of going out of it, and is distributed, one fraction among consumers by reduction of prices; another fraction among the operatives in the manufactories and mechanic shops, to afford them subsistence and sustain the price of American labor, which are three to one of wages for the same kind of labor in Europe; another fraction goes to pay interest on investments; another to farmers, gardeners, fishermen, wood and coalmen, and all the varieties of other American labor and industry which are employed to supply the wants of these establishments; another to the various branches of transportation and traffic, to commissioners, storage, and agencies, which they put and keep in operation; and another goes into the public treasury from imposts, which afford this protection, and thus saves the people from being taxed to support their own government. In these and other ways, which people rarely, almost never, think of, the entire 50 per cent., or one half of the costs of manufactured products, which would otherwise go into foreign exchequers, to support

kings, princes, aristocrats, nobility, and all the various extravagances of monarchical governments and institutions, with their armies and navies, is saved to the country, and distributed among all branches of American labor and industry. Thus does the protective policy, by rearing and maintaining domestic manufactures and mechanic arts, rescue the country from an enormous and oppressive system of taxation by foreign powers and foreign factors, and retain the funds for the increase of national wealth and private prosperity. Is it not then a gross misnomer to call protective duties a TAX, when, in fact, they are a deliverance from being taxed by foreign powers, and when they cheapen the articles protected, in exact proportion as the home products are encouraged and sustained?

It is sometimes said, that the protective policy takes more care of manufactures and mechanic arts, than of agriculture. That may be true, while the former are in the infancy of their existence, or when the object is to call them into existence. A man does not require the same nurture as a child. Agriculture is the natural vocation of man, and may perhaps be said never to be in any other state than that of manhood. It has at least been claimed to be the natural calling of the American people by the advocates of free trade, and is generally asserted by them to need no protection. But for thirty years past, during the general peace of the world, since the cheaper labor of Europe and other foreign parts, began to send its surplus agricultural products to the United States, thereby showing that they required little or no supply from this quarter, it has been found necessary to throw the shield of the protective policy over the interests of agriculture in the United States, as well as over those of navigation, manufactures, and the mechanic arts; and the average amount of protection given to the following agricultural products, by the tariff of 1842, is 50 per cent.—which is higher than the average protection given to manufactures—to wit: on cotton, wool, beef, pork, bacon, lard, cheese, butter, potatoes, flour, wheat, oats, and hemp, in all thirteen articles, besides which adequate protection—or that which was intended to be adequate—is extended to the remaining list of the products of husbandry. The annual average aggregate of imports into the United States, for the five years preceding 1842, of cotton, wool, hemp, beef and pork, hams and bacon, cheese, butter, lard, potatoes, flour, and wheat, thirteen articles, was $2,341,600—of which the potatoes imported into Boston in one

year amounted to $41,000! And the annual average of exports of agricultural products, other than cotton, from the United States to England, Scotland, and Ireland, including animal food and animal products, for the abovenamed five years, was only $1,474,719! Hence the necessity of a more effective protection to the interests of agriculture, which was given in the tariff of 1842 It will be seen, therefore, that the statement, that agricultural interests are not cared for in the protective policy, is incorrect.

But the indirect protection extended to the interests of agriculture by the tariff, is more important and more effective, than that which is direct, because it is much greater in amount. It has been ascertained, and well certified, that the Glenham woollen factory, at Fishkill, New York, with a capital of $140,000, gives profitable employment to $1,422,000 worth of other American capital, chiefly agricultural, in items as follows: 66,000 sheep, $2 a head, $132,000; 22,000 acres of pasture-land to feed the sheep, in Dutchess county, supposed to be worth $50 an acre, $1,100,000; farms employed to the extent of 2,600, worth $70 an acre, $182,000; other capital to furnish teazles, firewood, coal, provender, &c., &c., $8,000. Total $1,422,000. Consequently, if $140,000 of a manufacturing capital employs $1,422,000 of other capital, then the $300,000,000 of manufacturing capital of the United States, at the same rate, would employ other capital of the country to the amount of $3,047,142,857, or about *three thousand millions of dollars*. This is doubtless an unexpected, it is even an astonishing result. It may be, that other manufactories, different in kind, do not employ an equal proportion of other capital; there are doubtless some which do not; but some may employ a greater proportion, enough even to swell the aggregate. The vastness of the amount, at the lowest possible estimate, is sufficient to show the importance of manufactories to the various occupations and interests of the country, more especially to agriculture. There is no occupation, however humble, no man, however poor, that is not materially affected and essentially benefited by them. The wool-growing interests of the country, which are chiefly connected with manufactories, and sustained by them, are estimated at *two hundred millions of dollars*, and the farmers of the country receive annually from the manufactories, for all their various supplies, an aggregate of *sixty-six millions of dollars*, which is nearly *nine times* as much as the avails of all exports of flour, beef, and pork, to all parts of the world. Massachusetts, a

great manufacturing state, alone consumes annually more than *forty millions of dollars* of the products—chiefly agricultural—of other states, which is nearly a moiety of all exports of every description to foreign countries.

It is estimated, that the manufactories of the United States consume annually twenty millions of dollars' worth of flour, corn, pork, beef, rye, buckwheat, oats, barley, rice, fish, potatoes, butter, cheese, fowls, and other esculents; and the countless variety of the mechanic arts and handicraft pursuits, doubtless consume as much more.

But the most important function of the protective policy on the interests of agriculture—so silent in its operation as scarcely to be noticed by common observers, but which, when mentioned, must strike every one with great force—is its effect in steadily SUSTAINING a demand for, and the prices of, agricultural products. Foreign markets for the agricultural products of the United States, other than cotton, are always uncertain, continually fluctuating, and in a time of general peace the whole foreign world does not consume so much of them as the state of Massachusetts alone demands from other states, over and above the products of her own soil—and that solely in consequence of the existence of her manufactories and mechanic arts. It has indeed been found necessary to impose protective duties to prevent the influx of foreign agricultural products to cheapen those of the United States—a fact which shows that American farmers can not depend on foreign markets, and would be essentially injured by free trade in the products of their labor.

The prices of agricultural products are subject to more fluctuation than the products of manufacture, on account of excess or deficiency of supply by more or less favorable seasons. But the tables of Mr. Hudson's report, before cited, show that they have generally and considerably improved under the operation of the tariff of 1842. The average fall in the prices of some products, from 1842 to 1844, has been 9½ per cent., while the average *rise* in the majority has been 25 per cent. But the saving to agriculturists in the prices of the products of manufacture, by reason of a protective tariff, should be added to this account for the true economical result, which, as will be seen, would very much enhance the benefit. The practical operation of a protective tariff, for the increase of prices of agricultural products, is very simple, and may be thus explained: All agricultural products are com-

paratively gross and heavy, and consequently more expensive in being carried to a remote market. Suppose the cost of transportation from the remote west to the eastern market be 100 per cent. In other words, that the products are only worth *half* as much in the place where they are grown, as in the place where they are consumed. Add as much more for the expense of delivery in a foreign market, and the price to the producer is reduced to *one third* of the price at the place of destination. But bring the market half way toward the producer, and the price is raised *one third*. Bring it to his door, and his price is *trebled*. This is precisely the principle of the theory of protection, and its practical effect on agricultural interests. By encouraging and protecting domestic manufactures, the market is brought home, and the expense of transportation is saved. Further: All who work at manufactures and trades established by a protective policy, are withdrawn from agricultural pursuits, and give to the residue employed in agriculture better chances for a ready market and high prices. The multiplication of useful crafts and avocations contributes to the profit of each, as well as to national wealth. A home market is more steady and more secure. The money paid for products of domestic manufacture, instead of going abroad, and thus impoverishing the nation, stays at home and enriches it. All know how the country has prospered under the tariff of 1842. The farmer, who sold his wool in 1843 for $125, sells the same quantity in 1844 for $175. The protection extended by the tariff to the products of agriculture, also contributes to the general result.

But for protection to manufactures and the mechanic arts, the numerous classes employed in them and by them, would naturally, at least a large portion of them, be devoted to agriculture, and thus produce a surplus to glut the market, and reduce the prices to almost nothing. Indeed, it needs but little reflection to see, that a purely agricultural community, might soon find themselves in the condition of the aboriginal tribes of the American continent, whose squaws could raise corn enough for the wigwams.

Mr. Everett, American minister to England, stated, in a speech at an agricultural meeting, at Derby, in July, 1843, Earl Spencer in the chair, that, although the commerce between Great Britain and the United States was twice as great as between England and any other country, yet the whole of the products, passing to and fro, was not worth so much as the *oats and beans* raised in Great Britain, as proved by their agricultural statistics, and that the en-

tire value of the products employing British navigation all the world over, was not equal to the *grass* grown in Great Britain. Such is the importance of agriculture to every nation, and if its government is not wise and patriotic enough to take care of it, this vast interest will be sacrificed.

Notwithstanding that attempts have been made to impair the force of the rule, commonly called the BALANCE OF TRADE, by stigmatizing it as a "detected fallacy," for the sake of annihilating the arithmetical certainty which it affords as a species of evidence in determining the gains and losses of a nation in its foreign trade, it is a means of information on this subject which, on account of its importance and the unerring result to which it leads, can not be surrendered. All the uncertainty arising from the application of this rule, results from failing to collect and put forward the facts which constitute the rule. It certainly would not be infallible to say, that a nation which has sold the value of one hundred millions, and bought the value of one hundred and twenty millions, is therefore twenty millions minus, without considering the place where and rule by which the values were ascertained, to what party or parties the profits of the trade belonged. But there can be no possibility of mistake when the commercial exchanges against a nation are making perpetual drafts on its money, instead of paying its debts by exports of other commodities, and when it finds itself growing poorer and poorer in pocket, till, like an unwise spendthrift, it has parted with all its cash; or is obliged to turn bankrupt or repudiate, because it can not pay. It is well known there have been times of commercial distress in the United States—want of money, loss of credit, and general embarrassment in all kinds of business—and it is found, that these times have always followed immediately after large balances of trade have fallen against the nation by its having bought more than it had sold. It is also found, that this excess of buying over the amount of selling, has always prevailed most when the protective policy was least stringent, and that the nation has uniformly been most prosperous when the tariff has been strongest, or highest. The balance of trade, in favor of a nation, is its income; the balance against it, is its loss, and will be its ruin, if continued; the same as it is with a private individual. The man that trades with a profit, grows rich; and it is only another truism to say, that he who trades with loss, grows poor. The "detected fallacy" is the doctrine that questions these self-

evident truths—not less true in application to a nation, than to a private man.

From the peace of 1783 to the adoption of the federal constitution in 1789, there were no powers under the confederation of the states to establish a protective policy, and the consequence was, that Great Britain reaped nearly the same advantages on the basis of free trade with the states after they had acquired their independence, as before when they were subject colonies, and the country was involved in the greatest commercial distress and embarrassment. All its money was drawn off to pay for British and other foreign products, and the constitution was formed to confer powers of protection against these evils.

It is stated in Pitkin's Statistical View, that the imports of this country from Great Britain, for the first year after the peace of 1783, were *six to one* of its exports to that empire; and that the annual average proportion of imports to exports, from 1783 to 1790, was as *three* of the former to *one* of the latter. It is true, indeed, that these facts do not determine the balance of trade between the United States and all the foreign world; but they are a very instructive element in the calculation.

Though the protection at first afforded to manufactures in the United States was but slender, the period from 1790 to 1807, was one of comparative prosperity, resulting chiefly from the neutral position of the country as a commercial nation, during the wars which agitated Europe, and opened a rich harvest of trade with the belligerents. From 1807 to 1815, the successive events of non-importation, non-intercourse, embargo, and war, were in themselves measures of protection to manufactures, though occasions of great commercial distress and sacrifice. From the peace of Ghent till the operation of the tariff of 1816, the country was brought greatly in debt by the flood of importations from Great Britain and other parts, which exceeded the exports for this short period, about a year and a half, sixty-one millions of dollars! The inadequate protection of the tariff of 1816 was limited to three years, and without experiencing any very essential relief, the country was again plunged into the greatest distress by excessive importations, and the accumulation of balances of trade against it, till the tariff of 1824 came in to change the scene, at which time, and from which as a cause, commenced, as noticed by Mr. Clay in an extract from one of his speeches before given, a protracted period of great commercial prosperity, during which the entire

national debt was extinguished, and a corresponding private thrift was realized. The great commercial revulsion of 1836–'37, which finally resulted in the great political revolution of 1840, was the effect of two causes: first, the reduction of duties by the compromise act, which was stripped of the land bill, and administered in bad faith. But next, and more especially, a series of fitful and fatal experiments, made by General Jackson during his administration, on the commercial habits of the nation, by revolutionizing the currency system, discouraging at one time and tempting at another the enterprises of the people and of the states, nothing fixed, everything changing. The order to loan the public deposites had no sooner seduced the people into extravagant speculations, and the merchants into excessive and ruinous importations, than the specie circular called the money from the east where it was wanted to meet those engagements, to the west where it was not wanted, and nothing was left behind to pay a balance of sixty millions of dollars of an excess of imports in one year over the exports for the same period! Hence the revulsion and general ruin of 1837.

The following extract from a report on the commercial intercourse of the United States and Great Britain, published by the American Institute, New York, 1844, is not less instructive than pertinent in this place:—

"Without entering into a discussion of the question of the balance of trade, we deem it important to notice the operation of the system pursued by the British government, in fostering industry and trade, on their own commerce, compared with the policy of the United States. The total value of exports and imports of Great Britain and Ireland for three successive years was as follows:—

Year.	Exports.	Imports.
1839	£110,198,716	£62,004,000
1840	116,479,679	67,432,964
1841	116,903,668	64,377,962
	£343,582,061	£193,814,926

Balance in favor of Great Britain, £149,767,136, or an annual average of £49,822,378, equal to $237,227,414. It is her commercial policy, producing these yearly balances of two hundred and thirty-seven millions of dollars in her favor, which sustains her currency, enables her to do as she wishes, to spend as she pleases, to endure our defalcations, and, from her surplus, she is ready to lend us, and permit us to increase our indebtedness a few millions

more. 'Money to let' is the fortune of those only who so manage their business as to have yearly balances in their favor.

"In contrast, the amount of imports into the United States from foreign countries, for the nine years from 1831 to 1839, inclusive, exceeded the total amount of exports therefrom by the sum of $235,278,605 as shown by the following statement:—

Year.	Imports.	Exports.
1831	$103,191,124	$81,310,583
1832	101,029,266	87,176,913
1833	108,118,311	90,140,433
1834	126,521,332	104,336,973
1835	140,895,742	121,693,577
1836	180,980,034	128,663,040
1837	140,989,217	117,419,376
1838	113,717,404	108,486,616
1839	163,092,132	121,028,476
Total	$1,195,534,562	$960,255,957
	960,255,957	
Balance against U. S.	$235,278,605	

"It is not deemed necessary to search further than a knowledge of these facts, to account for the loss of currency; for the large amount of indebtedness by states, corporations, and individuals of the United States, to the capitalists of Great Britain; nor beyond this, to seek for a principal cause for the insolvency and ruin of our banks and other corporations, as well as of individuals, the depreciation in the value of property, the decline of trade, and ending in the modern doctrine of repudiation."

The following is from the same authority:—

"To show which nation has practised the system of free trade, it is only necessary to mention, that while Great Britain admits *no article*, except specie, from the United States free of duty, we have, by our former tariff regulations, received, duty free, many British manufactures. In 1840, the amount of articles imported into the United States from Great Britain, free of duty, exclusive of specie, was $9,875,496; of which value more than seven millions of dollars were the manufactures of the united kingdom. Our total exports to them, the same year, exclusive of cotton and tobacco, amounted only to $3,875,551; on which the British government levied a duty of 44.6 per cent.

"The British tariff fixes so high a rate of duty on many articles of American growth and produce, as to operate in excluding them from the list of our exports to Great Britain and Ireland. Cotton, being indispensable to Great Britain for the supply of her extensive manufactories, and the employment of a large portion of her population, is admitted at a low rate of duty. Omit cotton, and the average duty on all other articles is 330 per cent. A careful examination of the rate of duties payable by the American

tariff of 1842, on the different articles of British manufacture, forming the bulk of our imports from Great Britain and Ireland, results in an average rate of duty of 32 per cent. Under the prohibition imposed on American produce, it will be observed that our annual average exports to Great Britain, exclusive of cotton and tobacco, amount to $3,875,351.

"It is worthy of remark, that on the two great staples of cotton and tobacco, which she receives from the United States, Great Britain levies an amount of duties much exceeding the total amount of customs collected on all articles imported into the United States from all foreign countries; and also exceeding the total annual expenditures of our government. Thus, the receipts into the United States treasury from customs, for the years 1838, 1839, and 1840, were $52,796,227, while in the same years, the British government collected on cotton and tobacco from the United States, duties to the amount of $73,638,828."

The honorable P. Triplett, of Kentucky, made a communication to the committee on manufactures, in the 27th Congress, from which are deduced the following facts: that American products consumed in Europe, pay duties on entering there, equal to *half* of their entire value; whereas, European products consumed in the United States, pay duties here equal only to one *fifth* of their value.

In 1841, imports into the United States were $127,945,000, and exports $91,000,000, The duties raised from these imports amounted to $14,487,000, being about 11½ per cent.; whereas, the duties which foreign countries obtained from exports from the United States of that year, amounted to $113,500,000, or 124 per cent.! The average of exports of tobacco from the United States to Europe for 1839 and 1840, was $9,225,000 for each year; and the average duties imposed for each year by European governments, was $32,463,000, or 350 per cent.! The duties on American tobacco in Europe have been as high as $35,000,000 a year.

In 1750, Joshua Gee, a British writer of great clearness and power, published a work entitled, "The Trade and Navigation of Great Britain considered," based upon and illustrating the propositions:—

"*That the surest way for a nation to increase in riches, is to prevent the importation of such foreign commodities as may be raised at home:*

"*That this kingdom is capable of raising, within itself and its colonies, materials for employing all our poor in those manufactures*

which we now import from such of our neighbors who refuse the admission of our own."

The practical policy of Great Britain, from that day to this, in regulating her foreign commerce, has been shaped according to the doctrines and precepts of JOSHUA GEE, while her most eminent modern writers on political economy, (who are strongly suspected to have been pensioned, by the British government, to give lessons to other nations), have shown great zeal for free trade. Certain it is, that the British government has followed Joshua Gee as an ORACLE, and have never paid the slightest regard to their own later authorities that are opposed to him. The following extract from Gee, contains the GIST of his creed, which, having been adopted and maintained, has made Great Britain the wealthiest and most powerful nation on earth:—

"*To take the right way of judging of the increase or decrease of the riches of the nation by the trade we drive with foreigners, is to examine whether we receive money from them, or send them ours; for if we export more goods than we receive, it is most certain that we shall have a balance brought to us in gold and silver, and the mint will be at work to coin that gold and silver. But if we import more than we export, then it is as certain that the balance must be paid by gold and silver sent to them to discharge that debt. A nation may gain vast riches by trade and commerce, or, for want of a due regard and attention, be drained of them.* I am afraid the present commerce of ours carries out more riches than it brings home. Whereas formerly great quantities of bullion were brought into this country by the balance of trade, and coined into money; the tables are turned, and as fast as we import bullion it is sent away *to pay our debts.* So many places endeavor to keep out our manufactures, and still continue to export their linen, hemp, flax, iron, potash, timber, &c., to us, which draws a very great treasure annually out of this kingdom. We send our money to foreign nations, and by employing their poor instead of our own, enable them to thrust us out of our foreign trade; and by imposing high duties on our manufactures, so to clog the importation of them, that it amounts to a prohibition."

From that day, and according to this rule of Joshua Gee, it seems always to have been the policy of Great Britain so to adjust her tariff, as to secure a large excess of exports over imports; in other words, a large balance of trade in her favor. In the years above cited, the difference is nearly half. No nation can escape commercial revulsions that does not base its foreign commercial policy on this principle. Every season of commercial distress in

the United States—they have been frequent and calamitous—has been occasioned by neglecting this duty; in other words, by failing to establish and maintain an adequate and uniform protective policy. The aggregate of balances of trade against the United States, as shown by public documents, beginning with 1790, and ending with 1840, is $900,000,000!

From the establishment of American independence (*political*—there has been little other) to the tariff of 1842, there has been a balance of trade in favor of the United States of only six years, in trifling amounts, except in 1840, it was twenty-four millions, simply because the country had not credit enough to buy—in one respect a fortunate necessity, as the half of this balance went to pay debts, and the other half to pay interest.

Some deductions ought no doubt to be made from the above nine hundred millions, in consideration of the facts, that the valu ations of exports and imports have not been made by the same rule, and that there is no allowance for the profits of the trade. But after this account shall have been fairly adjusted, the balance must still be amazing! Can it, then, be a subject of wonder, that the people of the United States have had to struggle through so many, and such protracted periods of commercial disaster, involving the whole country in distress, and countless individuals in private ruin? Nothing but the inexhaustible wealth of the country's physical resources, and the indomitable enterprise of its population, could have carried the nation through such trials, and enabled it to surmount such difficulties.

By the tariff of 1842, the balance of trade is getting to be on the right side, though not much to boast of. It appears from official documents, that the balance in favor of the United States for the year ending June 30, 1843, was $19,592,681; and that for the year ending June 30th, 1844, was $2,765,011.

The restoration of confidence consequent upon the passage of the tariff of 1842, brought out capital that had lain dormant; it was diffused into all branches of trade, manufacturing, &c; its stimulating effect was felt in every direction; but, above all, it had the tendency to bring into the country a large amount of foreign coin—"a consummation devoutly to be wished." The secretary of the treasury reported, on the 28th April, 1844, that for *nine* months ending 30th June, 1843, the import of coin was $22,320,335

Export, in the same time, - - - - - 127,429

$22,192,906

Showing a gain to this country, in the short period of nine months, of upward of twenty millions of dollars. At first its genial effect was to replenish the vaults of the banks on the seaboard; but ultimately the coin reached all parts of the country.

If it be asked, how, then, has the nation grown so wealthy, under the weight of such former balances against it, the answer is, that the wealth consists in improvements, which, but for those unfavorable balances would have been indefinitely, no one can tell how much, greater. The United States are a well-stocked estate, but always in a state of commercial embarrassment, for going abroad to buy, in other words, to borrow, that which might and should be made at home. The annual income of England, in the shape of balance of trade, is rarely if ever less, under her present system of policy, than two hundred millions of dollars. The American tariff of 1842 seems to promise a bare rescue from former ruinous losses.

A variety of facts and considerations belonging to this argument, can only be succinctly stated here. The importance of the home trade of the country is seldom considered. It appears by a report to the senate of the United States, document 340, second session, twenty-seventh Congress, that the aggregate value of the annual products of the United States is $2,000,000,000, which is annually increasing. Deducting the exports of foreign products from the average exports of the country, much less than one hundred millions of these two thousand millions goes into foreign trade. A very large portion of the remainder is constantly going the active rounds of the home trade. One can hardly conceive of the magnitude and importance of this business. It has been estimated, that the annual exchanges negotiated in the settlement of accounts in the home trade of the United States, amount to four hundred millions of dollars.

The importance of counteracting that overwhelming one or two hundred million man-power of British machinery, requiring only five hundred thousand operatives, sufficient to supply the whole world with manufactures, which aims at this monopoly, and which has had such a prodigious influence in checking the growth of manufactures in the United States, can not fail to strike the mind of every American statesman and patriot.

The effects of domestic manufactures on the capital of labor, are very striking.

It is proved in "*Facts for a Laboring Man*," published in

1840, that a family of seven persons, whose entire wages in 1816, in a cotton factory, were only $180 a year, could get in 1836, in consequence of the increase of wages, $658 a year, while the prices of their products had fallen about *two thirds.*

The town of Lowell, in Massachusetts, which has risen from nothing in twenty years, to a population of more than *twenty thousand*, has between *eleven and twelve millions of dollars* vested in her manufactories, employs upward of *nine thousand laborers*, male and female, pays for their work annually $1,800,000, about fifty per cent. of which, on the average, or $900,000, they can save, or lay by, after paying their board and necessary expenses. Their savings support a savings bank in the place, where deposites are constantly being made. Some of them, after having laid up a satisfactory sum, go home with means to settle down for life, while others vest their savings in the manufactories, and become stockholders and corporators—managers of their own stock, and presiding over themselves as laborers, gradually accumulating their interest in these companies. In one manufactory alone, $100,000 of stock is owned by those who work in the factories for wages; in another $60,000; and so on. Factory girls, and women who live by their needles, are often stockholders in these and other institutions. It will be observed, that in all these cases, the capital of labor creates the moneyed capital thus or otherwise vested, and that in the case of a laborer at Lowell, who receives in wages $200 a year—that is the average—and lays up one hundred dollars, the profits of labor are *ten to one* of the income of moneyed capital at five per cent. In other words, the profits of labor in these cases are *fifty per cent.* on the investment of a labor capital of $200, in the case of each laborer. This, of course, must necessarily wield its sustaining and elevating influence on the prices of labor throughout the country, which is dotted with establishments of this kind.

Fas est ab hostibus doceri. It is right to gain instruction from enemies. For example: Captain Marryat states, in his work on America, that the supply of British goods of all kinds, is more abundant in the remotest frontier towns of the United States, where the stumps of the primitive forests are yet standing in the streets and cellars, than in the market-towns of England.

By a recent report of a committee of the British house of commons, it appears, that Prussia consumes annually of British manufactures to the amount of 7 cents for each individual of her pop-

ulation; Russia to the amount of 16 cents for each individual; Norway 17 cents; France 20 cents; and the United States to the amount of 402 cents for each individual of their population; and yet there is scarcely one of these articles which could not be produced at home at a lower price and of a better quality.

A farmer in Illinois wrote a letter to his friend in the east, in 1842, complaining that he could get only 31 cents a bushel for his wheat, 25 cents for beans, 10 cents for corn, 1½ cents a pound for beef and pork, 2½ cents a pound for tobacco, &c., stating that he had to pay *five dollars*, or which is the same thing, 16 bushels of wheat, or 20 bushels of beans, or 26 bushels of corn, or 300 lbs. of pork or beef, or 200 lbs. of tobacco, *per yard* of British broadcloth to make him a coat! The cost of this yard of cloth at the manufactories in England, was probably about *three dollars*, three bushels of wheat, as sold in the market there. That is, the producer in England received for the cloth *one eighth* of what was charged to the farmer in Illinois. Who got the difference? If the manufacturer had been in Illinois, or anywhere in this country, the farmer might have got his yard of cloth by three bushels of wheat, instead of *sixteen*, and the manufacturer would have made a market for the farmer's beans, corn, pork, beef, &c., at a good price.

It appears from a report of the Hon. J. P. Kennedy, of the twenty-seventh Congress, from the committee on commerce, that, from 1820 to 1830, the aggregate imports of the United States amounted to $798,500,000, and the amount retained for domestic consumption to $568,900,000; and that, from 1830 to 1840, the imports were $1,302,500,000, and the amount retained for domestic consumption, was $1,103,100,000. Herein is revealed a great secret: As the effect of the protective policy established in 1824, and continued for a number of years, the nation paid off a debt of one hundred millions. Chiefly in the last half of the period from 1830 to 1840, a foreign debt of two hundred millions was contracted. It is accounted for in the abovecited imports for that period. About one hundred millions of the state debts were made in 1835 and 1836, and nearly all of them got into the foreign market about this time to settle balances for excessive importations.

But the NECESSITY of a protective policy in the United States against the European world, ARISES CHIEFLY from the different values of capital and labor in these two quarters of the globe; and it will be found, that this necessity can never cease, while freedom is maintained against despotism.

The value of capital (money) is determined by the interest it can obtain in the market; and by this rule the average value of capital in Europe is at least *one third* less than the average value of American capital, as settled by experience. The average price of European labor, as determined by the best authorities, is at least *two thirds*, and might perhaps be put down at *three fourths* less, than the average price of American labor. Say, *two thirds*. In other words, the value of American capital is as 3 to 2, and of American labor as 3 to 1, of European capital and labor. This may be assumed as settled.

This is a difference between a *free* country and countries *not free*. It is not an *accident*—a transient result—but the *permanent effect of a permanent* and *immutable cause*. In the United States, the value of capital and the price of labor *are not forced and fictitious, but they are the prerogative of freedom*. In the case of Europe, the laborers are *not* a party in arranging the price of their task. They have no choice. It is *forced*. Consequently, the capital that is thus *wrung* from involuntary service, *at such a price*, can be afforded at less interest; and considering how it is acquired, the price of European capital is in fact higher than American capital, as compared with the price of labor there.

It will be seen, therefore, *other things being equal*, that the advantage which European capital and labor, as producing powers, have over American capital and labor, acting in the same capacity, in open and free trade, is equal to the difference in their relative values, which may be assumed as *two to one*, if labor be regarded an equal power with the capital that employs it. But other things are not equal, and the difference is in favor of Europeans. For example, laborers in Europe work from 12 to 18 hours a day, averaging say 15 hours, and American laborers never over 10 hours, making a difference in this particular of *one third*. There are other points of difference, all on the same side; but this is enough to show that the difference is not rated too high, in allowing European capital and labor to be 100 per cent more powerful, as producers, in opposition to American capital and labor. The poin is this: That American capital and labor, each at a cost of 100 can not compete in the same market and on the same terms with European capital, costing only 67, and European labor, costing only 33.

The question, then—the great, practical, momentous question—is, shall European capital and labor, in a field of open and free

trade, be permitted to bring American capital and labor, that is American society, down to the same level? Or shall American society, by the American government, *protect* American capital and labor, and maintain the position to which the cost of American freedom has elevated them?

The great battle of the world is between freedom and despotism; and more than in anything, or all things else, the *form* under which that contest is now carried on, is between European capital and labor on one side, and American capital and labor on the other. On this pivot turns the destiny of nations. SUSTAIN the position of American capital and labor, that every man may be secure of the fair reward of his exertions, however humble his birth and calling, and freedom will prevail all the world over. The American people, *united and resolved* in this great emprise, can beat the world —the *whole* world—and crumble into dust the bulwarks of despotic sway. BUT, let European capital and labor PREVAIL against American capital and labor, for want of protection to the latter, and there is an end of freedom, till another cycle of ages, with its sad round of experience, shall burst the chains again, and they who succeed shall better appreciate their duty and their chances.

The battle for American freedom was only begun in the establishment of American independence. The commercial systems of Europe are more to be feared than all the power of European arms. A perpetual war would be less expensive and less perilous than the effects of this occult, silent, insinuating, all-pervading power, *if unresisted.*

The *laissez-faire*, or *let-alone* principle, which lies at the bottom and is the soul of free-trade philosophy, may be romantic to dream on; but to act on and live by, it is quite another thing. Though one nation adopts it, another will not. The latter, of course, can and will prey on the former. One throws away its shield, and the other takes advantage of it. An opponent is FREE to strike, and SURE to hit. Reduced to its naked form, it is, *laws for the benefit of one party, and that party make them!* It is precisely the same principle in common society, as in the society of nations. Its most undisguised form, in which it stands forth in its true light, is, *let every second man do as he pleases.* It will then be found, that all men are *not* equal, and that one is able to knock down another, and rob him. This is FREE TRADE! On the ground of free trade, European capital and labor, which cost fifty cents, as seen above, will knock down and rob American cap-

ital and labor, which cost one hundred cents. It is as certain to follow, as that the sun will rise in the east and set in the west to-morrow.

Some are deceived in supposing, that, wherein the British parliament have reduced the scale of duties, they are departing from the protective policy. It was found, that the growth of American cotton manufactures had not only enabled them to rival, but to undersell the British manufacturers, in the markets of the world. The British parliament, therefore, was compelled to extend PROTECTION to their own manufactures, by taking the duties off from cotton, to enable them to compete with Americans. The ink of the "Southern Planter," quoted in chapter x., was scarcely dry, after writing, "*the half-penny-a-pound duty* [on cotton] *now levied in England, will have to give way to insure her success*," before it was done! So it is in all other cases: The British parliament never reduces the rate of duties, but to secure a greater amount of protection. The very principle on which free trade is advocated in England, is to increase protection; and if she had been willing to sacrifice the great interests protected by her corn laws, an unrestricted trade with all the world, begun in season, would probably have been her best policy. In that case, her POSITION, in the perfection of her manufacturing arts, in her vast machinery, and in her cheap capital and labor, would have put her far ahead of the rest of the world, and would probably have enabled her for ever to maintain it. But this policy would have been based on the principle of *protection*, and only proves that all other nations would have been crippled by this so-called free trade of Great Britain It would be equally true to say, that a weak man can contend with a strong man, with hope of success.

It is imagined by some, that the protective policy diminishes foreign commerce. Experience, however, does not justify this apprehension. But, suppose it does. It augments in an equal or greater proportion a far more profitable home trade. The things wanted, being manufactured at home, the three, sometimes four, not unfrequently five and more values added to the raw material, in the process of manufacture, are retained, instead of going abroad, besides that it gives a more profitable employment and a better subsistence to a portion of the American people, enhancing the wealth of all in a general distribution of benefits. But all experience teaches, that the more a nation produces, and the greater the variety of its products, so much the more extended, and so much

the more active, will be its foreign trade. Rich at home, it can afford to buy abroad, and will make corresponding exchanges.

Of all reasons that can be urged in favor of a protective policy no one perhaps can be named of greater cogency, than its necessity for a good and adequate currency. The currency of the country—a sound currency—does not depend on banking, or the modes of banking, or whether banking be done by a national institution, or by state corporations, or by both, or by neither, though doubtless there is a choice in modes—A BETTER WAY. There can be no sound currency, where there is no money; and there never can be money enough for the currency of a country which is constantly sending off more than it brings back—unless one of its products be money, as has been the case with Mexico, and some of the South American states. In that case, money is not the medium, but an article, of trade. But the United States do not produce money in any quantity sufficient to rely upon, either as an article, or basis, or medium of trade. They are obliged, therefore, to depend on getting and keeping money enough *by trade*, to answer the purposes of a currency.

A man may have a very large estate, well stocked, well worked, and be making extensive improvements; but if he buys more than he sells, his money, or active capital, is all the while growing less; and unless he has a great deal of it, he will soon find himself embarrassed. When this state of things arrives, he is precisely in the condition of a nation that has been guilty of the same improvidence. Without money, neither he, nor a nation, can do business to advantage. AN INCOME is as necessary to a nation, as to a private individual; and the income of a nation is the money it gets by selling more than it buys. While this is the case, it is impossible that the currency of a nation should be bad or inadequate. A bank here, and a bank there, may fail, as private individuals do, and for like reasons of mismanagement, or misfortune; but there can be no such thing as a general bank suspension, where the public policy is such as to secure the coming in of more money than goes out; or, when there is enough in, to prevent more going out than comes in. These results, in one case or the other, are always contingent on the sufficiency or insufficiency of the protective policy.

The intimate and indissoluble relation of the protective policy to the currency of a country, commends it, therefore, as a point for consideration too important to be overlooked. No man can

trade safely, and with a warrant of prosperity, except on the basis of a credit which solid capital affords, and with such means as that credit will constantly supply him. The moment his means, and with his means, his credit, fail, he is stopped. There is no use in his trying to go on; it is impossible, except by a transient career of fraud, which only makes it worse when he is found out.

It is precisely the same with a nation in its trade with the rest of the world. When, for the lack of an adequate protective policy —which is the same thing as the improvidence of a spendthrift—it is habitually buying more than it sells, and its money goes off to settle balances, its means of trade, domestic as well as foreign, are all the while growing less and less, and without a change, a reform, that nation must fail. Its insolvency is as inevitable, as that of an improvident individual, who conducts business on the same principle. The way in which the insolvency of a commercial nation shows itself, is, first, by a scarcity of money, which everybody feels; as a consequence, a general contraction in all monetary operations, by which business is carried on, necessarily drawing along with it commercial inactivity, dulness; diffidence in all credit transactions; and at last, if no relief comes, the banks suspend. This last act is the consummation of a nation's commercial insolvency. The banks, at the moment, and during the whole time of suspension, may be sound, as the specie in their vaults is not the exponent of their capital. Being allowed by their charters to issue more paper than they have specie, the heavy commercial exchanges against the country operate directly on their vaults, to draw off the specie into foreign parts, and they are compelled to suspend, or part with the last cent. Even then they must suspend, so long as they have more paper out, than specie in. It is the unfavorable state of foreign exchanges, the large commercial balances against the country, which occasion a general bank suspension. It is because there is not money enough in the country to pay its debts; and like a merchant, who finds himself in a like condition, to avoid complete and irretrievable ruin, that would incapacitate the country for all trade, the banks stop payment, to the injury of their own credit, and the credit of the country. They can not help it. They are forced into it by the effect of the policy of the government, which tempts the people to buy more than they sell, and the nation to do the same, till, after repeated and long-continued drafts on the money of the country, the pressure begins to be felt, and before the remedy can be applied—for it is too late when the effects of

such improvidence have already come—the whole community is involved in the general calamity. It is only for the want of an adequate protective policy. So long as an industrious and producing nation does not buy more than it sells, it is impossible it should be involved in general commercial distress—absolutely impossible in the nature of things. A nation of such resources and wealth as the United States, with such an enterprising population, can bear a great deal of loss in its foreign trade, and yet prosper. Think of nine hundred millions of loss in fifty years, as appears from public documents—or reduce it even to five hundred millions, for the reasons before suggested—this has been more than the nation could bear; and hence its frequent calamitous vicissitudes. Under an adequate and uniform protective policy, such disasters could never come. There can not be an effect without a cause. Such a country as the United States—which is a world in itself—physically capable—and much more capable in the genius, arts and moral energy of its tenants—of producing everything essential to the complete and perfect independence of a nation, in articles of luxury as well as of necessity—a nation capable of an equal pace in science, and in all improvements of art, as any other people, not to say more so—ought never, by the improvidence of legislation, to be in debt to other nations. There is no apology for such a nation to be in the habit of buying more than it sells, which is the only cause of debt and embarrassment. There can be no other.

It has heretofore been set up in defence of the government, that such a state of things comes from the fault of the people. But this will not answer, so long as the government permits the foreign factor—who is not a citizen, and who has no other interest than to make his fortune, and then carry the money away—to bring his goods and merchandise, without paying for the privilege—or, if he pays, pays nothing adequate to protect American citizens in the same business—and thus tempt jobbers, and jobbers tempt retailers, and retailers tempt the people, till the latter are in debt, which can only be discharged by a remittance through the same channels backward—and the foreign factor departs with the money of the people in his pocket! The parties concerned in all the stages of the trade, have doubtless profited by it; but the people are ruined, because their money has gone out of the country, and they have little or nothing left to pay other debts, and do business with.

CHAPTER XIII.

MR. CLAY'S EASTERN TOUR IN 1833.

Private Letter and Project of this Tour.—Public Gratitude.—Reception at Baltimore.—At Philadelphia.—At New York.—At Providence.—At Boston.—At Charlestown.—At Bunker's Hill.—In Faneuil Hall.—At Lowell.—At Danvers.—At Salem.—Sundry interesting Occurrences in Boston and Vicinity.—Correspondence, Addresses, and Answers.—Reception at Worcester.—At Hartford.—At Springfield.—At Troy.—At Albany.—At Newark.—His Return to Washington, through New York, Philadelphia, and Wilmington.—Recognition of this Tour in a Private Letter.

In a private letter from Mr. Clay to Judge Brooke, dated Ashland, May 30, 1833, he says:—

"I shall leave home early in July, to make a journey, which I have long desired to perform. I shall go through Ohio to Lake Erie; thence to Buffalo, Niagara, Montreal, Quebec, Saratoga, and toward September, to Boston, where I have a young son of sixteen. The papers have attributed to me an intention of visiting New England, as if it were the principal object of my excursion. It is the least important one, and I should not go there, but for the sake of my son. I intend travelling with as much privacy as practicable, and absolutely to decline every species of public entertainment. I had wished to be accompanied by Mrs. Clay, my son, and son-in-law, and their respective wives; but neither of the young ladies can go, and my wife hesitates about going without them.

"You perceive that the journey I have sketched will not admit of my having the pleasure of meeting you at the White Sulphur springs. I visit no place in the summer with more gratification than that finest of all our mineral springs;—but I have never seen the falls of Niagara, and unless I avail myself of this summer to go there, I shall probably never have another opportunity."

Unexpected events prevented Mr. Clay from executing the first part of this project of a summer's tour; but he went to Boston. It can not be denied that the arduous labors of the XXII Congress had given Mr. Clay some title to relaxation; and its eventful enactments, in which he bore so important a part—though

some of them were strangled in the birth by executive vetoes, and by unconstitutional usurpations of regal power—had inspired the public mind, throughout the country, with a lively sense of its obligations to the patriot who stood in the breach, and dared to protest against the aims of despotic pretensions. The great measure of the compromise tariff had just been consummated, and the people breathed freely again from the apprehensions they had suffered of civil disturbances. Though Mr. Clay succeeded in reaching Baltimore, without any remarkable demonstrations from the public, it was impossible after that to repress the outbursts of popular gratitude.

Mr. Clay arrived in Baltimore early in October, and was solicited to accept a public dinner there by the following note:—

"BALTIMORE, *October* 8, 1833.

"DEAR SIR: We have great pleasure in tendering to you, on the part of many of your fellow-citizens in Baltimore, an invitation to a public dinner, to be given at the City Hotel, on any day which may suit your convenience.

"The sensitive and honorable delicacy by which your conduct has ever been distinguished, seems, while you were a candidate for the highest office of this country, to have denied to us the opportunity of illustrating to you the hospitality of Baltimore, and of affording the manifestation of that cordial respect and friendship, which are, at once, the fruit and the ornament of your conduct and fame. While we claim a connexion with you by the common ties which bind the patriot to his country, we ask to be honored with the more intimate relation that springs from that deep, personal esteem of your character, which has known no change, but that of increased confidence in your virtues and talents.

"Under the influence of these feelings, we request, that you will name some day, when we may have the honor of your company. We are, dear sir, your friends and servants,

"JOHN M'KIM, Jr., and 27 others.

"To the Hon. HENRY CLAY."

(MR. CLAY'S REPLY.)

"BALTIMORE, *October* 9, 1833.

"GENTLEMEN: I receive, with deep sensibility and the most grateful feelings, the testimony of confidence and attachment, conveyed by your note of yesterday. It is true, as intimated by you, that the restraint which I recently felt bound to impose on myself, in respect to public entertainments, no longer exists; and I should be extremely happy to meet you and other of my fellow-citizens of Baltimore, in the manner most agreeable to you and them

But, gentlemen, on my present journey, undertaken in reference to duties growing out of private relations exclusively, I am accompanied by my family, and I could not accept a public dinner, without violating a rule, prompted in some measure by their convenience, which I had prescribed to myself at its commencement. I hope that, in this determination, there will be a ready acquiescence, since Baltimore requires no fresh proof of its well-established hospitality, nor I of the cordial respect and friendship which I have always experienced from its citizens.

'While I feel, however, constrained to decline the honor of a public dinner, which has been so obligingly tendered, it will afford to me the highest satisfaction, at all times, to cultivate, in any other less formal mode of social intercourse, the esteem and friendship of yourselves and other inhabitants of this enterprising city. I am, gentlemen, with sentiments of the highest regard, your friend and obedient servant,

"H. CLAY."

At a meeting of the citizens of Wilmington, Delaware, the 4th of October, announced as "friends of HENRY CLAY, of the constitution, and of American industry," the Hon. ARNOLD NAUDAIN in the chair, the following preamble and resolution were adopted:—

"Understanding that HENRY CLAY, the illustrious statesman and patriot, whose public services entitle him to the gratitude of his country, while his talents will for ever adorn its annals, is expected at New Castle on this evening, and being desirous of testifying to him in person the sentiments of respect and admiration we entertain for him—

"*Resolved*, That a committee be appointed to wait on Mr. Clay at New Castle, and tender to him the respectful and heartfelt salutations of this meeting, and in its name invite him to favor his fellow-citizens of Wilmington with his presence in this place, and partake of a dinner at such time as his convenience will permit."

A committee, consisting of the chairman and thirteen other gentlemen, was appointed on this mission of hospitality, and performed their duties, as the following correspondence will show:—

"WILMINGTON, *October* 11, 1833.

"SIR: At a public meeting, held at this place to-day, the undersigned were appointed a committee to wait on you at New Castle, and tender you the respectful and heartfelt salutations of our fellow-citizens, and in their name invite you to favor our city with your presence, and partake of a dinner at such time as your convenience will permit. We should, however, sir, but in part fulfil the purpose of our appointment, if we stopped with tendering you their hospitality. By far the more agreeable portion of our office, is to inform you of the motives whence their wishes

spring. They arise from the deep conviction they entertain of your merits as a PUBLIC SERVANT—from their admiration of your sterling integrity—your enlightened patriotism—your manly virtues—and though last, not least, your unshaken courage in resisting the cruel and unjust persecution by which faction has pursued you for many years—qualities which shine in brighter relief, from a contrast with the character of those who have originated and fostered it. Permit us to add, that, as citizens of a state which has, we are proud to say, in all the persecutions to which you have been subjected, borne constant testimony to the integrity and patriotism of your life, we have a right to indulge the hope, that the invitation of which we have the honor to be the medium, will receive your favorable consideration. We are, sir, with great respect, your friends and fellow-citizens,

"A. NAUDAIN, and others.

"Hon. HENRY CLAY."

(MR. CLAY'S REPLY.)

"PHILADELPHIA, *October* 14, 1833.

"GENTLEMEN: The letter of the 11th instant, which, at the instance of a public meeting held in Wilmington, you have done me the honor to address to me, inviting me to visit and partake of a public dinner at that place, has been received, with sentiments of the liveliest gratitude. I thank them and you, most heartily, for their and your friendly salutations, and for the approbation bestowed on my public exertions, and especially for the generous testimony uniformly borne by the state of Delaware, in my behalf. Penetrated by grateful feelings, I accept with pleasure your friendly invitation to visit Wilmington, although I can not, consistently with the rule which I have marked out for myself, have the honor of accepting that which has been given me to a public dinner.

"On my return from the eastern excursion which I am now making, I will give you previous notice of the day when I will have the pleasure of presenting my respects in person to you, and such other of my fellow-citizens of Delaware, as may choose to honor me with their society. I am, gentlemen, with high respect, your friend and obedient servant,

"H. CLAY.

"Messrs. A. NAUDAIN, and others."

Mr. Clay was met at Frenchtown, Delaware, by a committee from Philadelphia, to wait upon him to his lodgings provided in that city. Sometime before the expected arrival, by steamboat, the wharves at the foot of Chestnut street were crowded with a concourse of citizens, and Mr. Clay was received and escorted to the United States hotel, with every demonstration of popular re

gard, and in the midst of the huzzas of the multitudes; after which the following correspondence took place:—

"PHILADELPHIA, *October* 14, 1833.

"DEAR SIR: It is highly gratifying to us, that we have been deputed by a large and respectable meeting of the citizens of Philadelphia, to congratulate you on your arrival here, and to express to you their most cordial approbation of your public and private character—of your honorable career, distinguished by zeal and ardor in the cause of liberty, not only in our own beloved country, but in distant climes, when she maintained a long, a perilous, and a dubious struggle with grinding despotism—a career, moreover, which displayed the most profound views of the only true and solid interests of a nation—protection of its industry in every shape—agricultural, manufacturing, and commercial—which you have at all times supported in the full exercise of those splendid powers with which Heaven has endowed you—and manifested a consistency of conduct as a statesman, which, unfortunately for the happiness and best interests of mankind, has been at all times too rare among that class—a class which so powerfully operates upon the destiny of nations.

"After this expression of our feelings toward you, we respectfully beg leave to be gratified by your acceptance of an invitation to a public dinner, on such day as may best suit your convenience. We are, sir, very respectfully your obedient humble servants,

"MATHEW CAREY,
"JOHN SERGEANT,
"J. R. INGERSOLL,
"W. FITLER,
"G. SCULL.

"Hon. HENRY CLAY."

(MR. CLAY'S REPLY.)

"PHILADELPHIA, *October* 14, 1833.

"GENTLEMEN: I hasten to present my cordial and respectful thanks for the friendly congratulations, communicated in your note of to-day, just received. I have never visited your fine city without high gratification, but on no other occasion with greater than the present. I feel, with deep sensibility, the approbation of my character and conduct, which you have so kindly expressed. If gentlemen, as I am quite sure, you estimate too highly my exertions in the cause of human liberty, and that of promoting the general prosperity of our country, your partiality does not exaggerate the zeal and ardor with which I have honestly strived to maintain its freedom and secure its interests. I regret that I have been able to do so little; but the time has arrived, which I long ago apprehended, when our greatest exertions are necessary to

maintain the free institutions inherited from our ancestors. Yes, gentlemen, disguise is useless. THE TIME IS COME, when we must decide, whether the constitution, the laws, and the checks which they have respectively provided, shall prevail; or the will of ONE MAN shall have uncontrolled sway? In the settlement of that question, I SHALL BE FOUND WHERE I HAVE EVER BEEN.

"I pray you to convey to the citizens of Philadelphia, whom you represent, my grateful acknowledgments of their friendly reception of me, and to express to them my regret that circumstances will not allow me to accept the honor of a public dinner, which they have been pleased to offer. I add, gentlemen, for yourselves, assurances of the high respect and regard of your friend and humble servant,

"H. CLAY.

"Messrs. M. CAREY, &c."

The pointed character of some parts of the above reply of Mr Clay, will be appreciated, when it is considered, that the decisive and momentous event of the removal of the public deposites had, within a few days, taken place, the detail of which, and the consequences thereof, are given at large in another part of this work.

While the guest of Philadelphia, Mr. CLAY was visited by many thousand persons, but with as little ceremony as possible, in conformity with his known wishes; and when he left for New York, a vast concourse of citizens assembled to take leave of him. He was accompanied by a committee of Philadelphians as far as Amboy, where he was met and received by a committee from the city of New York, at which place, on landing, he was welcomed by an immense throng of citizens, and escorted by a procession to his lodgings at the American hotel.

On Wednesday, the 16th of October, Mr. Clay received his fellow-citizens publicly at the governor's room, city-hall, which had been politely tendered by the municipal authorities, the mayor of the city doing the honors of the occasion. He was there waited upon by numerous merchants, members of the chamber of commerce, and others, in a body; by the grand jury; and by crowds of citizens and strangers. Having dined with the committee, he visited the mercantile and mechanics' libraries, where he was honored with more formal notices than he desired, and was forced to make some brief replies. On the 17th he visited the fair of the American Institute; went to the theatre in the evening, where strong demonstrations were made in recognition of his presence; and concluded the day at a supper, in the city saloon, with the committee of the American Institute, where, being honored with a

sentiment, he made a brief address. Constant calls were of course made upon Mr. Clay at the American hotel, and various compliments were tendered to draw him into parties, and before the public—which, for the most part he was constrained by a general rule he had adopted for his journey, to decline. Among the rest, the following note was addressed to Mrs. Clay :—

"NEW YORK, *October* 16, 1833.

"MADAM: The young men of the city of New York, through us, as their committee, beg leave to tender to you an invitation to a ball, to be given on your return from the east, in honor of the arrival among us of yourself and your illustrious husband. In performing this office, we are confidently assured, that we represent the wishes of a large and distinguished portion of our citizens, and indulge the hope, that, by the acceptance on your part, they may be gratified in thus furnishing you an additional evidence of their respect and esteem. We have the honor to be, madam, your obedient servants,

"DAVID GRAHAM,
"SAMUEL D. JACKSON,
"SIMEON DRAPER, Jr.

"Mrs. CLAY."

To which a reply was made by Mr. Clay, in behalf of his lady, as follows :—

"NEW YORK, 17*th October*, 1833.

"GENTLEMEN: Mrs. CLAY has received the invitation with which the young men of the city of New York, through you, have honored her, to a ball, on her return from the east; and she charges me to communicate her respectful acknowledgments for it. If she had not ceased to participate in that description of entertainment, she would accept with pleasure, the offer of one from a source so highly respectable, and made with a motive so gratifying to her feelings. In declining it, she requests the young men, at whose instance it is tendered, to be assured, that she will long retain a grateful sense of their friendly purpose. I also pray the acceptance of my acknowledgments, and assurance of the high respect with which I am their and your friend and obedient servant,

"H. CLAY.

"Messrs. GRAHAM, JACKSON, and DRAPER."

The following note from Mr. Clay, is a recognition of the politeness of the steamboat company between New York and Boston :—

"NEW YORK, 16*th October*, 1833.

"SIR: I received your obliging note, tendering the use of one of the steamboats of the New York and Boston steamboat com-

pany, by their direction, for the conveyance of myself and family to Rhode Island. I request, that you will communicate to the company my respectful acknowledgments for their friendly offer, and to say to them, that I will so far avail myself of it, as to take a passage for myself in the boat of Friday next, at the customary hour of her departure. I beg, however, that we may be considered as ordinary passengers, and that no exclusive arrangements may be made for us. I am with great respect, your obedient servant,

"H. CLAY.

"To the President of the New York and Boston Steamboat Company."

The following extract from the New York "EVENING STAR," a political opponent of Mr. Clay, is a grateful record of good feeling, indited at this time:—

"We opposed his election [in 1832], and rejoiced at his defeat. But, we can not forget the steady uniform efforts he made in the great struggle of 1812, to sustain the country at a period of darkness and peril, when many, very many, of those who now claim to be influential leading *democrats*, were in the ranks of our bitterest opponents. We can not forget the voice of the man who eloquently pleaded the cause of South American independence. We can not forget the man who assisted to negotiate an honorable peace at Ghent; nor, at a more recent period, when, by an honorable compromise, he arrested the uplifted sabre on our own soil, as he did on the celebrated Missouri question."

Mr. Clay embarked on the 18th, for Boston, in the steamer President, decorated with flags, and was honored on his departure with the attendance of a numerous concourse of citizens, whose cheers, as the boat left the wharf, expressed the good feeling that followed him. About 11 o'clock in the evening, the President met the steamer Franklin, from Providence, on the bosom of Long Island sound, where a brilliant display of fireworks was made from both vessels, as they passed each other, gorgeously illuminating the scene, and creating a rare spectacle for the entertainment of both parties, but especially the numerous company on board the President, for whose guest the compliment was intended.

After a short stop at Newport in the morning, the citizens assembled to honor the distinguished visiter, were reluctantly forced to acquiesce in his departure for Providence; but a committee from Newport joined the company. A committee from Providence was also on board, who had been appointed at a public meeting on the 12th of October, from the doings of which the following is an extract:—

"This meeting having been informed, that the Hon. HENRY CLAY, of Kentucky, will visit New England in the course of a few days, and desiring that so eminent a statesman, orator, and patriot, may receive in this state appropriate testimonials of respect and gratitude for his public services—

"*Resolved unanimously*, That a committee be appointed to invite Mr. Clay to visit this state and city, and to receive him here on his arrival—to invite him to a public dinner, and to offer him such other tokens of public regard, as they may deem expedient.

"JOSEPH L. TILLINGHAST, *Chairman*."

This committee, consisting of twenty citizens, acting in obedience to their instructions, addressed a letter to Mr. Clay, and received an answer on his arrival, of which the following is an extract:—

"Nor can I suppress the gratification which I have derived, from a survey, in this prosperous place, of the rich and abundant proofs of that true policy of our government, which inculcates reliance upon our own ample resources and undoubted skill, rather than dependence upon foreign supplies. If I had ever doubted the wisdom of that policy, heretofore, the many proofs which I have seen of its effects, during my present journey, would have banished my doubts."

Mr. Clay was compelled, by the rule he had adopted, to decline the dinner. His reception in Providence was enthusiastic. He visited the university, the various manufacturing establishments, and after resting on Sunday, and attending divine worship at the first Baptist church, he proceeded on Monday, escorted by the committee from Providence, to the great manufacturing village of Pawtucket, where he met the committee of reception from Boston. Having surveyed the manufacturing establishments, Mr. Clay left for Boston, and arrived there the same day, in company with the committee, having been met at Roxbury by a numerous cavalcade of young men, who escorted him to the Tremont house, receiving a federal salute as he passed the common. Notwithstanding the inclemency of the weather, the streets were thronged, and he was cheered through the whole line of march, after his reception by a committee of forty as he entered Boston. At the Tremont, he was addressed by Mr. Winthrop, in behalf of the young men of Boston, to which Mr. Clay briefly responded:—

"That he begged the young men of Boston to believe, that he was not ungrateful for this mark of their respect and friendship; that he had hoped to pass along as a private citizen; that, since he

crossed the mountains, he had been deprived of his liberty, taken captive—was in custody—but found his bondage so pleasant, that he had as little desire, as ability, to gain his freedom. Mr. Clay said, he was happy to agree with his fellow-citizens of Boston on almost all public questions; but politics apart, there were associations, historical, revolutionary, and local, connected with that soil of the pilgrims, that awakened a strong and thrilling interest in his mind."

Mr. Clay bowed, and retired; but instead of finding repose, through the folding-doors that opened to receive him, he was ushered into the presence of the SENIOR citizens of Boston, and was again eloquently addressed by Mr. WILLIAM SULLIVAN, in behalf of his compeers; and was again tasked with a brief recognition of the honors bestowed.

It is unnecessary to say, that the characteristic hospitality of the city of Boston did not evince a falling off in the entertainments proffered to their distinguished guest. The day after Mr. Clay's arrival, he visited ex-president Adams at Quincy, and on his return in the afternoon, he was waited upon by the mayor and aldermen of the city in a body. Committees from Portsmouth, N. H., and from Portland, Maine, were deputed to invite Mr. Clay to visit those places—which, however, he was compelled respectfully to decline. Numerous other towns in that quarter of New England sent deputations on similar errands. The following correspondence is a part of the history of this occasion:—

"BOSTON, *October* 18, 1833.

"SIR: At a public meeting of citizens of Boston, assembled to consider in what manner they should express the high gratification which they feel in learning your intention to visit this city, and to make known the sentiments entertained of your public life and individual character, a committee of forty persons was selected to communicate these sentiments.

"This committee has now the honor to assure you, in behalf of their numerous constitutents, that they rejoice in the opportunity of testifying the respect and esteem in which you are held by them, for your eloquent exertions in both halls of Congress, for the wisdom by which you were guided in a dignified and most important diplomatic mission, and for your labors in the department of state. They are pleased to see among them an eminent citizen from the western region of our extensive republic, connected with the citizens of the east, by commercial, social, and kindred relations, as well as by the national bond, which you have ever held to be indissoluble and sacred.

"Our constituents have directed us, as one mode of expressing their sentiments, to ask of you the honor and favor of your presence at a public dinner in Faneuil hall, where the eloquent, the wise, and the patriotic, have been often heard, on such day as may best suit your own convenience. We are aware that similar invitations have been offered and declined in other cities. But we venture to assume, that the reasons for declining may be referred to the haste in which you passed through those cities, and that your sojourn here will be sufficiently prolonged to permit the gratification most earnestly desired, of meeting you at the festive board.

"We have the honor to be, sir, for our constituents and ourselves, most respectfully your friends and fellow-citizens,

"THOMAS H. PERKINS,
And thirty-nine other citizens of Boston.

"Hon. HENRY CLAY."

(REPLY.)

"BOSTON, *October* 22, 1833.

"GENTLEMEN: I have the honor to acknowledge the receipt, at Providence, of your note of the 18th instant, addressed to me at the instance of a public meeting of the citizens of Boston, welcoming my arrival here, and tendering me the compliment of a public dinner at Faneuil hall. If anything could induce me to depart from a rule adopted at the commencement of my journey, and which I verbally communicated to your chairman, it would be the distinguished manner in which that compliment is offered, the place at which it is proposed, and the eloquent and patriotic associations, ancient and modern, in the midst of which I should there find myself placed. But I have thought it best to adhere to a rule, the convenience of which I have tested by experience; especially as I have been unable to discover any reasons for an exception, the force of which is felt by myself, or would be admitted by others.

"I would limit myself, therefore, gentlemen, to an expression of my respectful and grateful acknowledgments for the honor designed me, for the approbation of my public services, which has been so flatteringly conveyed, and for the cordial greetings and salutations with which I have been favored.

"The necessity which obliges me to decline the honor of the proposed festive meeting, is regretted less because as my sojourn here will be extended to a week or two, I shall, I trust, have many and various opportunities of mixing with my fellow-citizens of Boston in an unreserved and social manner, which best comports with my feelings and disposition.

"I pray you, gentlemen, to accept my thanks for the very obliging mode which you were pleased to adopt for the delivery of your communication; and also assurances of my best wishes for

the continued prosperity of your renowned city, and for your individual welfare.

"I am, with high respect, faithfully your friend and fellow-citizen, "H. CLAY.

"THOMAS H. PERKINS, and others."

On the 23d of October, in compliance with an engagement with a deputation of the citizens of Charlestown, Mr. Clay visited that town and Bunker Hill. On this hallowed eminence, a platform having been erected for the occasion, Mr. Clay was addressed by the Hon. Edward Everett, chairman of the committee, as follows:—

"SIR: I take great pleasure, on behalf of my colleagues of the committee, and of our fellow-citizens present, in bidding you welcome to this celebrated spot—the scene of the first general action of the revolutionary war. Feeling that the career of civil service is as arduous, as important, and as meritorious, as that of the warrior and the hero, we take a pride, sir—on this theatre of military renown—in paying our humble respects to one, whose life has been devoted to the untiring and successful discharge—and often in difficult times—of the duties of the legislator and the statesman.

"We feel a peculiar satisfaction in a visit to this part of the country, of a distinguished citizen of the west. When the battle was fought, which has immortalized the heights of Charlestown, the great and prosperous state, sir, of which you are a citizen, was the unshared domain of the savage. None but a few daring hunters had burst the gates of the Allegany mountains, and a party of them gave to their encampment in the woods—now the place of your residence, the city of Lexington—the name of the beautiful village in this neighborhood, where the first blood of the revolutionary war had, a few weeks before, been shed. Fifty years only have elapsed since the close of that war; and we behold the mighty west—then untenanted, unexplored—teeming with a greater population than that with which the thirteen colonies plunged into the contest.

"That vast and flourishing region justly boasts of you, sir, as one of the most distinguished of her sons; but WE also claim a share in your reputation, as one of the treasures of our common country. And as your talents and efforts have been employed to augment the blessings of our independence, we feel that we do no more than justice in thus bidding you a public and cordial welcome to the spot, where our fathers laid down their lives for its establishment."

The following is an imperfect sketch of Mr. CLAY'S reply:—

"I thank you, Mr. Chairman, and you, gentlemen of the committee, and fellow-citizens, for this cordial and flattering welcome.

I can not express to you the feelings of satisfaction with which I receive these assurances of your friendly feeling, on a spot so justly celebrated. I ascribe it to your partiality, rather than to any merit of my own, that you have been pleased to connect my name in so honorable an association, with the gallant and patriotic men, who, upon this distinguished spot, sealed their devotion to their country with their blood.

"They laid down their lives for the independence of their country, and when that great object was attained, they deemed it equally important, and still more incumbent upon them, to secure that independence on the basis of knowledge and virtue. They were as anxious to build up those institutions, which were necessary to make our liberty the source of blessings to the people, as they were to triumph in the field of battle.

"You have been pleased, sir, to allude with kindness to my efforts in the public service. If I may flatter myself, that I have in any degree coöperated in the great work which our fathers had at heart, as the final object of their toils; if I have done anything worthy the acceptance of my fellow-citizens, in laboring to augment the blessings of our independence, I shall feel myself more than compensated for the discouragements, which, according to the common estimate of things, have attended my public career.

"Permit me again, sir, to thank you for this kind reception, and to renew to my fellow-citizens the assurance of the gratitude which warms my heart at these proofs of their hospitality and good will."

After this ceremony on Bunker Hill, Mr. Clay, under the guidance of Commodore Elliott, visited the navy-yard, and was there presented with an imitation volume, by the hand of the daughter of the commodore, wrought from the timber of the frigate Constitution, and labelled "Old Iron Sides."

An interesting incident occurred on the 24th—next day—at Mount Auburn, where three revolutionary soldiers, brothers, of a family of seven then living, two of the three being twins, were introduced to Mr. Clay, each of whom served through the war, and the twins were in the engagement at Concord. These old soldiers, the twins 86, and the other 76, were yet fat and stout, each of them weighing over 200 pounds.

Notwithstanding Mr. Clay had declined the dinner at Faneuil hall, advantage was taken of the occasion of his visit there, to make it somewhat formal, and to let it generally be known. He was conducted from an adjoining room, by the honorable T. H. Perkins, to the platform at the west end of the hall, when Mr. Sullivan embraced the opportunity to address him as follows:—

Mr. Sullivan said, "he had been requested by his fellow-citizens

to welcome Mr. Clay, on their behalf, to FANEUIL HALL, which they were accustomed to speak of as the CRADLE OF LIBERTY." He said, that "HERE, in occasional meetings, in the performance of the duties of citizenship, were commemorated the sterling patriotism and undaunted eloquence, which roused our country to gain the freedom now enjoyed. It was HERE," said Mr. Sullivan, "that the FIRST ACT was done, which decided what the character of the contest must be, between the colonies and the mother-country. In December, 1773, it was resolved HERE, that no duties should be paid on teas imported from England, and that no teas should be landed on our shores.

"Among other names often mentioned as of those times," he said, "were those of Quincy, Otis, Hancock, and Adams, honorably associated with the revolution; and that, in short, almost every important measure of those days, was in some way associated with FANEUIL HALL.

"That, since the adoption of the national constitution, many interesting and eloquent discussions had occurred in this place; and that the names of Quincy and Otis, but in another generation, again appear, and that the eloquence of these, as well as of Dexter and Ames, had often been heard HERE by applauding multitudes; that, at a more modern date, other men had been heard in this hall, the voices of some of whom had been heard by himself [Mr. Clay] in other halls; and that no one could better judge than himself, of the justice of the respect in which they were held, for the manly truths which they had expressed.

"That this hall was also a place of assembly on some festive occasions, and that it had been earnestly desired to have met him [Mr. Clay] here, at a festival to be given in honor of his visit; that, if this had been so, he would have seen all classes mingling here, on the true principles of republican equality, orderly and decorous, and deeply impressed with a proper sense of the uses to which freedom may be applied in social enjoyment.

"That, although they were not to have the honor and pleasure of so meeting him, they were bound to respect his reasons for declining, and would not trespass on the ground which he had reserved to himself.

"It was, however, a gratification to the citizens of Boston to see him in this hall, as all of them knew his public life and character, and the part which he had taken in establishing the national welfare and independence; and especially as they could readily associate him with the grateful recollections, which fill the heart of every Bostonian when he comes within these walls."

Mr. Clay, thus taken by surprise, made a few remarks, as follows:—

"That, on leaving home to perform the journey which termin-

ates here, it had been his wish to pass on quietly, without attracting any notice on his own account, or coming into contact with large portions of his fellow-citizens. It was especially his desire to avoid all public entertainments, with which it might be proposed to honor him. But no self-imposed restraints, no considerations of expediency, could induce him to remain silent, after the address which he had just heard, or to withhold the expression of his heartfelt gratitude, for the warm greeting, the cordial welcome, and the enthusiastic demonstrations, with which he had been received; and especially THIS DAY, in this venerable hall. Among his earliest recollections—recollections which served deeply to impress upon his mind an attachment to civil liberty—were revolutionary events and incidents, of which this hall, this city, and this state, were the patriotic theatre. And if, as history assures us, in the progress of human affairs, human liberty shall be ONCE MORE exposed to danger in this favored land, he trusted that this hall will again resound with inspired eloquence, and that a spirit will here go forth to sustain its interests, and vindicate its rights."

Mr. Clay said, that "he had everywhere, since he passed the mountains, received testimonies of respect and attachment, far transcending the value of any public services he had ever performed. They were gratifying rewards of the past, and powerful incentives to fresh exertions in future, if it should ever become his duty to make them, in behalf of our common country. At all events, he should carry to the retirement, which he most anxiously desired, a cherished recollection of them.

Mr. Clay said, "he should have been pleased to have found himself able to accept the public hospitality, so cordially offered him by the citizens of Boston, and to have met them in another manner in this hall. But, having declined all similar invitations in other cities, he could not make an exception, without an invidious discrimination. It was some compensation for this privation, that, as his sojourn here would be longer than in any other places, he hoped to find opportunities of meeting all who might be disposed to honor him with a friendly intercourse. And he embraced the occasion to tender to them collectively, as he hoped he might do individually, his respectful salutations, and his best and earnest wishes."

Some five to six thousand persons, it was supposed, were individually presented to Mr. Clay, on this occasion. On the 25th of October, he visited Lowell, passed through the manufacturing establishments, and was waited upon by the people at the town hall in the evening. A pair of silver pitchers, with appropriate devices, weighing 150 ounces, was presented to Mr. Clay by the young men of Boston, on which occasion, being taken unawares, as was

frequently the case in the honors contrived, he delivered a captivating address. As the American advocate of the manufacturing arts, these everywhere claimed and received his attention, of which the following correspondence is an example:—

"BOSTON, *October* 25, 1833.

"DEAR SIR: Allow me to offer for the acceptance of Mrs. Clay, a straw bonnet—a specimen of an article manufactured in New England, in various styles, to a great extent. The bonnet is truly American, every article used in its manufacture, including the silk, warp, and sewing-thread, having been produced in New England. It is but an act of justice to inform you, that the bonnet was shaped at the establishment of Miss S. H. Bingham.

"It may not be uninteresting to you to learn, that I am now putting in operation one hundred looms for the purpose of weaving straw, which will give employment to one hundred and fifty persons.

"This is offered, not only as a tribute to your exertions in promoting American industry, but as one of the evidences of the happy results arising from the success of those great principles which you have advocated with so much zeal, and in the realization of which our citizens are enjoying a degree of prosperity unparalleled in the history of any nation.

"I am truly your obedient servant,

"SETH S. LYNDE.

"Hon. H. CLAY."

(REPLY.)

"BOSTON, *October* 28, 1833.

"DEAR SIR: Mrs. Clay desires me to offer her thanks, as I do mine, for the straw bonnet, shaped at the establishment of Miss S. H. Bingham, which you have done us the favor to present. Both the material and the form are very pretty, and Mrs. Clay will derive satisfaction in wearing it, from the fact, that every article employed in making it, including the silk, is American.

"I am glad to hear of the success of this branch of manufactures. It proves that our women, no less than our men, are skilful in the application of their taste and ingenuity to any objects which engage their industry.

"With my best wishes for the prosperity of your business, and for your individual welfare, I am, with great respect, your friend and obedient servant, "H. CLAY.

"Mr. SETH S. LYNDE."

On the 29th of October, Mr. Clay visited Lynn, Danvers, and Salem, accompanied by a large cavalcade of citizens of the town and country, greeted everywhere by dense throngs of people. In reply to an address made to him at Danvers, Mr. Clay said:—

"It gives me great pleasure, sir [addressing John W. Proctor, Esq., chairman of the committee], to meet the citizens of Danvers—a place, of whose industry and prosperity I have been made in some degree acquainted, and the evidences of which are manifested all around me. You have been pleased, sir, to allude to the policy I have pursued, in the concerns of the national government; and it is gratifying to me to learn, that the measures I have advocated—and with what zeal and sincerity my friends present who bore a part with me can testify—meet the approbation of my friends at Danvers. I long ago came to the conclusion, that a country possessed of all the means which this country possesses, was in duty bound to bring those means into action, and to unite in one common interest all the branches of useful industry of which it is capable. It has seemed to me, that our prosperity as a nation depended on this, and I have cheerfully lent my aid for this purpose—not the advancement of any one interest, to the exclusion of others; but the adjustment of a proper balance, among all the several branches of industry.

"At the last session of Congress, to the measures of which you have alluded, it did seem to me, that an important crisis in our national concerns had arrived—*disunion* on the one hand—*destruction* on the other. It then seemed to me, that, without abandoning any of those principles, for which I have always contended (for I have never changed in the least my opinion on this subject), a COMPROMISE was the only way in which these great principles could be secured. And it is highly gratifying to me to learn, that here, and in the country generally—now that there has been time to reflect on the subject, and properly to appreciate the motives with which the measure [the compromise act] was brought forward—that the bill of compromise, suggested upon the impulse of the moment, has met with such general approbation. I surely thought it, at the time, the only thing that could be done.

"You say right, sir, in regard to my wishes to avoid all public display, on my visit to my friends in this section of the country. It is my desire to travel in as private a manner as possible, and to have completed the objects of my journey, without interrupting the ordinary pursuits of my fellow-citizens. But, sir, I should do injustice to myself, and should not be possessed of the feelings of a man, did I not say, that the cordial reception with which I have been greeted, in this and many other places, has been to me most gratifying. These expressions of kindness from my fellow-citizens, will long have a place among my most cherished recollections.

"And permit me, sir, to say to you, and through you, to the citizens of this town, that their cordial welcome on this occasion will long be remembered by me, and that they have my most sincere and ardent wishes for a continuance of their present prosperity."

In Salem also Mr. Clay's reception was enthusiastic. At the Lyceum in the evening, on the occasion of an ordinary lecture, some twelve hundred persons being present, when Mr. Clay entered, they all rose, and saluted him with cheers. In reply to a welcome tendered him on his arrival in that town, he said, among other things :—

"That it afforded him the highest gratification it was possible for him to feel; and that he had long known this town as among the first in promoting the welfare of the whole country by its extensive commerce, bringing from other climes the comforts and luxuries which we could not produce. He had been considered the friend of one particular branch of industry [manufactures], but it was a mistake to consider him the friend of that branch alone, to the exclusion of agriculture and commerce."

This common mistake was not altogether without cause. Agriculture was the natural pursuit of the country, especially in its early history. It was the great primary interest, and naturally took care of itself—grew up into manhood with the growth of the country—and was comparatively impregnable. Commerce, as its handmaid, kept company, and both flourished together. But, as no nation can be independent without manufactures, and as these arts always belong to a more advanced state of society—being arts—they require nurture in their infancy, and training in after time, till they shall have attained a maturity and vigor capable of taking care of themselves. They can not start without aid, nor become independent without protection; and while Mr. Clay, as a wise and patriotic statesman, was engaged in nurturing this tender plant, some, perhaps, erroneously concluded that he had less regard for those great interests which had already acquired vigor and independence. It was only, therefore, doing justice to himself, to say, "It was a mistake to consider him the friend of one branch of industry ALONE." But a sagacious people will in the end appreciate the motives of such a statesman. It would seem, from the reception Mr. Clay everywhere met with in this tour, that his views and purposes, and the measures he advocated, were well appreciated.

After a stay of about two weeks in Boston, making frequent excursions in different directions, visiting manufacturing establishments, making acquaintance with the people of all classes and conditions, daily followed by the multitudes who were sensible of the value of his public services, and partaking of the hospitalities

that were tendered, Mr. Clay left that city on the 4th of November, to return. The Worcester Ægis of the 8th records, that—

"The Hon. HENRY CLAY, whose name has been a household word with Americans for a quarter of a century, is now in this town. He arrived here on Monday by invitation of the people without distinction of party, and was escorted to his lodgings by the committee of arrangements, and a large cavalcade of citizens. Yesterday, at 11 o'clock, he met the citizens generally in the town-hall, where the Hon. John Davis, in their behalf, bade him welcome to Worcester, in a few pertinent remarks, in which he happily alluded to the prominent events of Mr. Clay's political life—his efforts in behalf of the government during the dark hour of our second war of independence, and as a pacificator at its close; his able advocacy, in the halls of Congress, of the cause of civil liberty in Greece, and among the struggling republics in South America; and his adoption and maintenance, on the same theatre, of that system of national policy, to which the country, in a great measure, owes its present prosperity.

"Mr. Clay replied in a speech of half an hour, which was frequently interrupted by spontaneous bursts of applause. We have time only to say, that, besides other topics of interest, he recapitulated the facts relating to his compromise bill of the last session of Congress, which confirmed the opinion we had previously formed, that the origination of the measure, and its adoption by Congress, under the circumstances then existing, showed Mr. Clay to be one of the most consummate statesman of this or any other age. Mr. Clay said, that he did not go forward with that measure, without a full view of all its consequences. He saw that the American system would be utterly prostrated at the coming session of Congress, unless the threatened blow could be averted by its friends. He saw in the south the torch already lighted to destroy the Union; and he saw also, that he was in imminent danger of losing many of his personal and political friends; but in view of it all, he inquired, 'What is a man good for, if he will not risk himself for his country?' His measure was carried, and his anticipations as to its beneficial effects are fully realized, in its general approval, as allaying the dangers that threatened the country, and preserving substantially the system of policy, which he had ever regarded as of paramount importance to our three great branches of labor—agriculture, manufactures, and commerce."

A deputation of the citizens of Hartford, Connecticut, waited on Mr. Clay at Worcester, and accompanied him to that city, whence, after two days—having in the meantime received the honors of the place, well appointed and bestowed, and addressed the people in the city-hall—he proceeded to Springfield, Massachu-

setts, where he was received with a national salute, and a numerous concourse of citizens of that town and others. In the evening, at the town-hall, he was welcomed to the hospitalities of Springfield, and introduced to a large assemblage of ladies and gentlemen, with a pertinent and eloquent recital of his public services, by Judge (Oliver B.) Morris, to which Mr. Clay replied in a short speech, that was received with strong marks of satisfaction and delight, being frequently interrupted with bursts of applause. He closed amid the deafening cheers of the audience. While at Springfield, he visited the public works and the Chickopee factories.

From Springfield, Mr. Clay next visited Northampton. "Curiosity," says the Courier of that town, "to see so distinguished a man—who has occupied so conspicuous a place in our political history, and done so many deeds worthy of national gratitude—was not small."

In passing to Pittsfield, through the woollen-factory village, near Northampton, the operatives came out, with their aprons on, to cheer him as he passed, and slyly tossed a roll of fine broadcloth into his carriage.

At Troy, New York, on being presented by the young men with a superbly-mounted and highly-finished rifle, made in that city, accompanied with an address, the close of which wished him a long life and a career of usefulness, Mr. Clay replied:—

"I reciprocate your kind wishes of a long life and a career of usefulness. But, my young friends, it is known to you all, that long life is not for the aged. In the course of human nature, we who are now upon the stage, must soon resign the bustle, the burden, and the cares of public toil—of upholding our republic, and of preserving our institutions and liberties. They are a precious inheritance, and have been handed down to us unimpaired by our fathers. We, in turn, will soon be called upon to hand them over to you. Upon YOU, then, will rest all these responsibilities. Let me, therefore, exhort you—and through you, all with whom you stand connected, to prepare yourselves by your devotion to principles, and your attachment to virtue and religion—TO GUARD THEM WELL—so that, when you, in your turn, cast off this 'mortal coil,' this priceless inheritance, our happy institutions, may still pass on to the next generation—and from generation to generation—pure and unimpaired."

The public welcome given to Mr. Clay, in the courthouse of Troy, by an address from the mayor of the city, and the reply of their distinguished guest, constituted one of the most interesting and

instructive occasions of Mr. Clay's tour. Mr. Clay said, in conclusion :—

That " he had but one complaint to make—it might seem very ungracious for one who had received so much kindness to complain—but he was like the countryman who could not see the *town*, because there were so many *houses*. He [Mr. Clay] had made his journey to see the country and its improvements. But the people would not let him see anything but THEMSELVES."

Mr. Clay's reception at Albany was worthy of the place, where they drew forth a speech from him, by presenting him a cloak that had been made up in three hours. The dignitaries of the city and of the state waited upon him, and proffered, not an empty and heartless hospitality, but a cordial welcome, and good entertainment. The masses of the people were all in movement to do him honor, and were *heard* as well as *seen*.

On Mr. Clay's return to New York, he visited the city of Newark, New Jersey, renowned for wealth created by its manufacturing establishments, where all were emulous to do him honor, which honored themselves. While there, Mr. Clay left orders for a carriage. It came quicker than he expected. After having been set down at his hotel in New York in the evening, from a new carriage of the same description he had ordered, drawn from Newark by six milk-white steeds, in company with a host of citizens, General Darcy made a brief address, and asked leave, with the compliments of the citizens of Newark, to send the carriage to Ashland for Mrs. Clay. The generous offer took Mr. Clay entirely by surprise. He hesitated in receiving a present so valuable, until he was persuaded that his declining its acceptance would occasion some mortification to his Newark friends. Mr. Clay returned to Washington at the opening of Congress, through Philadelphia, and Wilmington, Delaware, at which places he was honored with the usual greetings.

In a note from Mr. Clay to Judge Brooke, after he had returned to Washington, dated December 11, 1833, he speaks of the agreeable impressions he received from this journey, as follows :—

" My journey was full of gratification. In spite of my constant protestations, that it was undertaken with objects of a private nature exclusively, and my uniformly declining public dinners, the people everywhere—and at most places without discrimination of party—took possession of me, and gave enthusiastic demonstrations of respect, attachment, and confidence. In looking back on

the scenes through which I passed, they seem to me to resemble those of enchantment, more than real life."

Mr. Clay has had occasion to make several journeys, north and south, during his public life, for private purposes; in all of which, it was equally impossible to repress demonstrations of popular regard, as in this of 1833, which may be taken as a specimen of the whole.

There will have been observed several allusions in this chapter to Mr. Clay's generous, disinterested patriotism—no doubt with perfect sincerity. There is one form in which this character is exemplified in Mr. Clay's history, not before noticed in this work, and never yet observed by the public, because the evidence is of a negative character. Eminent as Mr. Clay has been, long as was his public life, with numberless opportunities, and with almost boundless influence for such purposes, he has never bestowed an office, nor been the means of its being bestowed, on a family connexion, notwithstanding those connexions have been numerous; and at this time Mr. Clay has no relation or connexion holding any office whatever under the government of the United States. This is not an accident, but the result of principle; and Mr. Clay has not escaped reproach for his scrupulous observance of this rule. His son-in-law, Mr. Duralde, of New Orleans, at the instance of the Louisiana delegation in Congress, and without any aid from Mr. Clay, was appointed in 1841 to the office of surveyor of the customs; but has been dismissed by President Polk! Every one will see, that it has been in the power of Mr. Clay to provide for every family connexion living, to the remotest cousin; but not one of them has been the better for his eminent position and commanding influence.

CHAPTER XIV.

MR. CLAY AND THE TWENTY-SEVENTH CONGRESS.

General Harrison's Accession.—His Death.—A Vice-President not a President.—The Great Apostate.—Proud Position of a Party prostituted by a Faithless Chief.—What could have been done.—One good thing achieved.—Mr. Clay's Position in the Twenty-Seventh Congress.—The First Act of Executive Perfidy.—The Traitor known to Some before.—Notice of Mr. Clay's Speech on the Veto of the Bank Bill.—Mr. Rives's Reply.—Mr. Clay's Rejoinder.—Its Overpowering Effect.

When General William Henry Harrison came into power, on the tide of the great political revolution of 1840, with a strong majority in Congress, it was expected, that the policy advocated by the party would be carried out. To begin the work of correcting the errors of the past, and laying the foundation for the future, an extra session of Congress was immediately convoked by proclamation, to assemble on the 31st of May, 1841. In the meantime, General Harrison died, and John Tyler, the vice-president, succeeded to the chair of chief magistrate.

By courtesy, Mr. Tyler, while in office, was usually honored with the title of president; but it will be seen, from the nature of the case, and from the recognised principles of such official relations, that he could not be PRESIDENT, without action *de novo*, on the part of the authority which confers the appointment. A vice-presidency and a lieutenancy are the same in principle. Although the lieutenant, in the absence, or death, or disqualification, of his principal, succeeds to the authority and functions of the latter, he is not CAPTAIN, without his appointment and commission as such. The meaning of the word will show, that he is not even a lieutenant IN FACT, till he succeeds to the functions and authority of his principal; for how can a man fill or occupy the place of another, till it is vacant? Till that time, his office lies in *abeyance*, and is merely nominal; but, being in service, and on pay, other and subordinate functions are in the meantime assigned to him. It is the same with a vice-president. He is not such IN FACT, till the

office of his principal is vacated. Then he is VICE-president, and can not be more, without an appointment and commission. An *actual* lieutenant, or an *actual* vice-president, *actually* holds the place of his principal. He is then a VICE, not before, for that would be impossible. There are obvious reasons of propriety, why this question—if it can be one—should be rightly settled in history, apart from the consent of mankind, which would willingly exclude from the highest honors, one who has done so little credit to the most elevated social position.

The fidelity of history, as well as the good of society, require, that public men, who have proved faithless in their relations, should be represented according to the facts. As there is but one opinion among all parties, of Mr. Tyler's conduct, it can not, perhaps, be better described, than in the terse and laconic phrase of a gifted gentleman, who—when he read the letters of the members of the retiring cabinet, in the early part of September, 1841, and observed the moral turpitude which had forced them to fling up their commissions in disgust—exclaimed impromptu: "FALSE TO HIS COUNTRY, FALSE TO HIS FRIENDS, FALSE TO HIMSELF, HE STANDS BEFORE THE NATION BRANDED, AS WANTING ALIKE IN THE DISINTERESTEDNESS OF A PATRIOT, THE FIDELITY OF AN ASSOCIATE, AND THE HONOR OF A GENTLEMAN."

There was probably never an instance in history, where infidelity in the social relations brought so little advantage to the offender, and was at the same time of equally momentous consequences to society. Dragging out a pitiable official existence; administering the government, not for his country, but for himself; breaking faith with all parties and all men; hoping to profit, but always losing; ridiculed by the fawners that pandered to his vanity; enacting farces in the state with ludicrous gravity; setting up for president, and buying supporters with the funds of the people; trusting to luck, that helped him before, and fled from him now; selling his party and his country, after having sold himself; with increasing poverty of friends, making new compacts with deceivers, himself a deceiver; prodigally wasting the bounties of patronage on reptiles waiting to bite him, and offensive to all mankind; the only gladness he brought to the nation, was in the act of his retirement.

Mr. Tyler came to power, on the lamented death of the president, at the head of a patriotic party, occupying the proudest position known in the annals of history. By a protracted series of suffering and calamity, the whole nation had been stirred up to a

sense of its wrongs, and was armed with a determination to have them redressed. The path was cleared, and nothing remained but to go forward, and re-establish the people in their lost prosperity—TO CONFIRM IT FOR AGES. The tariff, indeed, which had well-nigh failed by the obstacles which the acting president recklessly threw in its path, was a great redeeming measure, and while enjoying its blessings, the masses of the people are not likely to see what else was necessary to render the system, of which this was only a part, perfect. The whole field was open, and the party which came to power in such decided popular favor, was entitled to a full and fair experiment of its entire system of policy, and it was impossible to do them justice without it. The man who deceived those who trusted in him, has enjoyed the apparently congenial satisfaction of subverting the great designs of the movement on which, as a subordinate, he came into place, and afterward, by an unforeseen event, succeeded to supreme authority.

Mr. Clay, who had long desired to retire from public life, maintained his post during the whole period of the abuses of the regal power of the constitution, battling against it, and defending the rights of the democratic branch of the government, not without success in resistance, though without much avail in arresting the public calamities which those regal pretensions necessarily occasioned. For twelve long years he sustained the conflict, and in 1840 realized the reward of his protracted labors, in witnessing the triumph of his principles. One duty more remained for him to discharge—a co-operation with the twenty-seventh Congress in reconstructing that system of national policy, which he had so long advocated, but which had been broken down, and lay before his eye, in the desolating effects of its overthrow, a heap of ruins, in the length and breadth of the land.

In the progress of the extra session of Congress, the apostacy of Mr. Tyler was made manifest, and his first public and official act of bad faith, was the veto of the bank bill.

They who had known Mr. Tyler most intimately through life, were not disappointed in this development of his character. His first address to the people, after his accession, was charitably entertained, though it was not without concern that sagacious minds observed its weak points, and they were startled with some of its expressions. The opening message at the extra session, was still more alarming, for the air of magisterial importance, which characterized it—so unbecoming, so indecorous in one, who, by a mel-

ancholy event, occupied a place never intended for him. He had evidently made up his mind to break faith with his party, form a new one, and ride into power in 1844, as president elected by the people; and he only waited an opportunity for the rupture. That moral infirmity for which he was so remarkable, had left him open to the seductive influences of two or three unprincipled, turbulent, factious spirits, who obtained his ear, flattered his self-esteem, and set before him, in dazzling and captivating colors, his power and his chances. If he was ever capable of any degree of fidelity, there were evidences to those who were near, that ten days had not elapsed, after General Harrison's death, before the party, to whom he was indebted for his power to injure them, were doomed to be opposed by him, and if possible, divided and overthrown; and it has already been seen, that the regal power of the constitution is capable at any time of disappointing the public will, and that it puts the country at the feet of the chief magistrate, whoever and whatever he may be.

The twenty-seventh Congress had undertaken faithfully to discharge the duties for which they were appointed, and they had scarcely begun to act, before rumors, not ill-founded, of the infidelity of the acting president, were constantly reaching their ears, and exciting concern. Having repealed the sub-treasury, it was a necessary part of their plan to erect a suitable fiscal agent of the government, which they intended to endow with banking powers, in aid of the currency. It was when this measure was submitted to Mr. Tyler for his approval, that he embraced the opportunity to strike his blow, by returning it with his veto.

When the veto message came up for consideration in the senate, on the 19th of August, Mr. Clay, after a few introductory remarks, relating to the history of the bill, and defining his own position in the case, said:—

"On the fourth of April last, the lamented Harrison, the president of the United States, paid the debt of nature. President Tyler, who, as vice-president, succeeded to the duties of that office, arrived in the city of Washington, on the sixth of that month. He found the whole metropolis wrapped in gloom, every heart filled with sorrow and sadness, every eye streaming with tears, and the surrounding hills yet flinging back the echo of the bells which were tolled on that melancholy occasion. On entering the presidential mansion, he contemplated the pale body of his predecessor stretched before him, and clothed in the black habiliments of death. At that solemn moment, I have no doubt that the heart

of President Tyler was overflowing with mingled emotions of grief, of patriotism, and of gratitude—above all, of gratitude to that country, by a majority of whose suffrages, bestowed at the preceding November, he then stood the most distinguished, the most elevated, the most honored, of all living whigs of the United States.

"It was under these circumstances. and in this probable state of mind, that President Tyler, on the tenth day of the same month of April, voluntarily promulgated an address to the people of the United States. That address was in the nature of a coronation oath, which the chief of the state in other countries, and under other forms, takes, upon ascending the throne. It referred to the solemn obligations, and the profound sense of duty, under which the new president entered upon the high trust which had devolved upon him, by the joint acts of the people and of Providence, and it stated the principles, and delineated the policy, by which he would be governed in his exalted station. It was emphatically a whig address, from beginning to end—every inch of it was whig, and was patriotic.

"In that address the president, in respect to the subject-matter embraced in the present bill, held the following conclusive and emphatic language:—

"'I shall *promptly* give my sanction to any constitutional measure, which, *originating in Congress*, shall have for its object the restoration of a sound circulating medium, *so essentialy necessary* to give confidence in all the transactions of life, to secure *to industry its just and adequate rewards, and to re-establish the public prosperity*. In deciding upon the adaptation of any such measure to the end proposed, *as well as its conformity to the constitution*, I shall resort to the *fathers of the great republican school* for advice and instruction, to be drawn from their sage views of our system of government, and the light of their *ever-glorious example*.'

"To this clause in the address of the president, I believe but one interpretation was given throughout this whole country, by friend and foe, by whig and democrat, and by the presses of both parties. It was, by every man with whom I conversed on the subject at the time of its appearance, or of whom I have since inquired, construed to mean that the president intended to occupy the Madison ground, and to regard the question of the power to establish a national bank as immovably settled. And I think I may confidently appeal to the senate and to the country, to sustain the fact, that this was the contemporaneous and unanimous judgment of the public. Reverting back to the period of the promulgation of the address, could any other construction have been given to its language? What is it? 'I shall *promptly* give my sanction to any constitutional measure, which, *originating in Congress*,' shall have certain defined objects in view. He concedes

the vital importance of a sound circulating medium to industry, and to the public prosperity. He concedes that its origin must be in Congress. And to prevent any interference from the qualification, which he prefixes to the measure, being interpreted to mean that a United States bank was unconstitutional, he declares, that in deciding on the adaptation of the measure to the end proposed, and its *conformity* to the constitution, he will resort to the fathers of the great republican school. And who were they? If the father of his country is to be excluded, are Madison (the father of the constitution), Jefferson, Monroe, Gerry, Gallatin, and the long list of republicans who acted with them, not to be regarded as among those fathers? But President Tyler declares, not only that he should appeal to them for advice and instruction, but to the light of their ever-glorious EXAMPLE. What example? What other meaning could have been possibly applied to the phrase, than that he intended to refer to what had been done during the administrations of Jefferson, Madison, and Monroe?"

Mr. Clay having put the interpretation here given on this document—a charitable interpretation—proceeds to state the satisfaction t had afforded him, and the agreeable feelings with which he came to attend the extra session. He then alludes to the rumors that had been afloat, and the influence which they had on Congress, in shaping the bill, so, if possible, as to escape a veto.

"Under the influence of that spirit [said Mr. Clay] the senate and the house agreed, first, as to the name of the proposed bank. I confess, sir, that there was something exceedingly *outré* and revolting to my ears, in the term 'fiscal bank;' but I thought, 'What is there in a name? A rose by any other name would smell as sweet.' Looking, therefore, rather to the utility of the substantial faculties, than to the name of the contemplated institution, we consented to that which was proposed."

They also yielded as to the location of the bank at Washington, and as to the branching power, sacrificing their own choice and judgment. But, said Mr Clay :—

"Notwithstanding all our concessions, made in a genuine and sincere spirit of conciliation, the sanction of the president could not be obtained, and the bill has been returned by him with his objections.

"And I shall now proceed to consider those objections, with as much brevity as possible, but with the most perfect respect, official and personal, toward the chief magistrate.

"After stating that the power of Congress to establish a national bank, to operate *per se*, has been a controverted question from the origin of the government, the president remarks :—

" ' Men most justly and deservedly esteemed for their high intellectual endowments, their virtue and their patriotism, have, in regard to it, entertained different and conflicting opinions. Congresses have differed. The approval of one president has been followed by the disapproval of another.'

" From this statement of the case it may be inferred, that the president considers the weight of authority, pro and con, to be equal and balanced. But if he intended to make such an array of it, if he intended to say that it was an equilibrium, I must respectfully, but most decidedly, dissent from him. I think the conjoint testimony of history, tradition, and the knowledge of living witnesses proves the contrary. How stands the question as to the opinions of Congresses? The Congress of 1791, the Congress of 1813–'14, the Congress of 1815–'16, the Congress of 1831–'32, and, finally, the present Congress, have all respectively and unequivocally, affirmed the existence of a power in Congress to establish a national bank to operate *per se*. We behold, then, the concurrent opinion of five different Congresses on one side. And what Congress is there on the opposite side? The Congress of 1811? I was a member of the senate in that year, when it decided, by the casting vote of the vice-president, against the renewal of the charter of the old bank of the United States. And I now here, in my place, add to the testimony already before the public, by declaring that it is within my certain knowledge, that that decision of the senate did not proceed from a disbelief of a majority of the senate in the power of Congress to establish a national bank, but from combined considerations of expediency and constitutionality. A majority of the senate, on the contrary, as I know, entertained no doubt as to the power of Congress. Thus the account, as to Congresses, stands five for, and not one, or, at most, not more than one, against the power.

" Let us now look into the state of authority derivable from the opinions of presidents of the United States. President Washington believed in the power of Congress, and approved a bank bill. President Jefferson approved acts to extend branches into other parts of the United States, and to punish counterfeiters of the notes of the bank—acts which were devoid of all justification, whatever, upon the assumption of the unconstitutionality of the bank. For how could branches be extended, or punishment be lawfully inflicted upon the counterfeiters of the paper of a corporation which came into existence without any authority, and in violation of the constitution of the land? James Madison, notwithstanding those early scruples which he had entertained, and which he probably still cherished, sanctioned and signed a bill to charter the late bank of the United States. It is perfectly well known that Mr. Monroe never did entertain any scruples or doubts in regard to the power of Congress. Here, then, are four presidents of the

United States who have directly or collaterally borne official testimony to the existence of the bank power in Congress. And what president is there, that ever bore unequivocally opposite testimony—that disapproved a bank charter, in the sense intended by President Tyler? General Jackson, although he did apply the veto power to the bill for rechartering the late bank of the United States in 1832, it is within the perfect recollection of us all, not only testified to the utility of a bank of the United States, but declared, that, if he had been applied to by Congress, he could have furnished the plan of such a bank.

"Thus, Mr. President, we perceive, that, in reviewing the action of the legislative and executive departments of the government, there is a vast preponderance of the weight of authority maintaining the existence of the power in Congress. But President Tyler has, I presume unintentionally, wholly omitted to notice the judgment and decisions of the third co-ordinate department of the government upon this controverted question—that department, whose interpretations of the constitution, within its proper jurisdiction and sphere of action, are binding upon all; and which, therefore, may be considered as exercising a controlling power over both the other departments. The supreme court of the United States, with its late chief justice, the illustrious Marshall, at its head, unanimously decided that Congress possessed this bank power; and this adjudication was sustained and reaffirmed whenever afterward the question arose before the court.

"After recounting the occasions, during his public career, on which he had expressed an opinion against the power of Congress to charter a bank of the United States, the president proceeds to say:—

"'Entertaining the opinions alluded to, and having taken this oath, the senate and the country will see that I could not give my sanction to a measure of the character described, without surrendering all claim to the respect of honorable men—all confidence on the part of the people, all self-respect, all regard for moral and religious obligations; without an observance of which no government can be prosperous, and no people can be happy. It would be to commit a *crime*, which I would not wilfully commit to gain any earthly reward, and which would *justly* subject me to the ridicule and scorn of all virtuous men.'

"Mr. President, I must think, and hope I may be allowed to say, with profound deference to the chief magistrate, that it appears to me he has viewed with too lively sensibility the personal consequences to himself of his approval of the bill; and that, surrendering himself to a vivid imagination, he has depicted them in much too glowing and exaggerated colors, and that it would have been most happy, if he had looked more to the deplorable consequences of a veto upon the hopes, the interests, and the happiness

of his country. Does it follow that a magistrate who yields his private judgment to the concurring authority of numerous decisions, repeatedly and deliberately pronounced, after the lapse of long intervals, by all the departments of government, and by all parties, incurs the dreadful penalties described by the president? Can any man be disgraced and dishonored, who yields his private opinion to the judgment of the nation? In this case, the country (I mean a majority), Congress, and, according to common fame, a unanimous cabinet, were all united in favor of the bill. Should any man feel himself humbled and degraded in yielding to the conjoint force of such high authority? Does any man, who at one period of his life shall have expressed a particular opinion, and at a subsequent period shall act upon the opposite opinion, expose himself to the terrible consequences which have been portrayed by the president? How is it with the judge, in the case by no means rare, who bows to the authority of repeated precedents, settling a particular question, while in his private judgment, the law was otherwise? How is it with that numerous class of public men in this country, and with the two great parties that have divided it, who, at different periods have maintained and acted on opposite opinions in respect to this very bank question.

"How is it with James Madison, the father of the constitution—that great man whose services to his country placed him only second to Washington; whose virtues and purity in private life, whose patriotism, intelligence, and wisdom in public councils, stand unsurpassed? He was a member of the national convention that formed, and of the Virginia convention that adopted, the constitution. No man understood it better than he did. He was opposed, in 1791, to the establishment of the bank of the United States, upon constitutional ground; and, in 1816, he approved and signed the charter of the late bank of the United States. It is a part of the secret history connected with the first bank, that James Madison had, at the instance of General Washington, prepared a veto for him in the contingency of his rejection of the bill. Thus stood James Madison, when, in 1815, he applied the veto to a bill to charter a bank upon considerations of expediency, but with a clear and express admission of the existence of a constitutional power of Congress to charter one. In 1816, the bill which was then presented to him being free from the objections applicable to that of the previous year, he sanctioned and signed it. Did James Madison surrender 'all claim to the respect of honorable men, all confidence on the part of the people, all self-respect, all regard for moral and religious obligations?' Did the pure, the virtuous, the gifted James Madison, by his sanction and signature to the charter of the late bank of the United States, commit a *crime* which *justly* subjected him 'to the ridicule and scorn of all virtuous men?'"

Mr. Clay next proceeds to a consideration of the alternatives before the acting president, either of which would have been honorable. "Was there no alternative," said Mr. Clay, "but to prolong the sufferings of a bleeding country, or to send us this veto?" He might, in the first place, have allowed it to become a law without his signature. Deferring to the legislature, and to other authorities above cited by Mr. Clay, and declining a positive opposition to the wishes of the country, would only have added to his credit. Examples of this kind had occurred, with beneficence to the public, and honor to the parties. Mr. Madison's positive surrender of his own judgment, and signing a bank bill, never injured him, but on the contrary advanced him in public esteem. It was regarded in the light of *deference*—was in fact so. It may be supposed even that his conscience demanded the act. Is it not right—is it not often a duty, and of course a conscientious obligation, to doubt one's own infallibility, and *defer* to eminent authorities?

"If it were possible [said Mr. Clay] to disinter the venerated remains of James Madison, reanimate his perishing form, and place him once more in that chair of state, which he so much adorned, what would have been his course, if this bill had been presented to him, even supposing him never to have announced his acquiescence in the settled judgment of the nation? He would have said, that human controversy, in regard to a single question, should not be perpetual, and ought to have a termination. This, about the power to establish a bank of the United States, has been long enough continued. The nation, under all the forms of its public action, has often and deliberately decided it. A bank, and associated financial and currency questions, which had long slept, were revived, and have divided the nation during the last ten years of arduous and bitter struggle; and the party which put down the bank, and which occasioned all the disorders in our currency and finances, has itself been signally put down, by one of those great moral and political revolutions which a free, a patriotic people can but seldom arouse itself to make. Human infallibility has not been granted by God; and the chances of error are much greater on the side of one man, than on that of the majority of a whole people and their successive legislatures during a long period of time. I yield to the irresistible force of authority. I will not put myself in opposition to a measure so imperatively demanded by the public voice, and so essential to elevate my depressed and suffering countrymen.

"And why should not President Tyler have suffered the bill to become a law without his signature? Without meaning the

slightest possible disrespect to him (nothing is further from my heart than the exhibition of any such feeling toward that distinguished citizen, long my personal friend), it can not be forgotten, that he came into his present office under peculiar circumstances. The people did not foresee the contingency which has happened. They voted for him as vice-president. They did not, therefore, scrutinize his opinions with the care which they probably ought to have done, and would have done, if they could have looked into futurity. If the present state of the fact could have been anticipated—if at Harrisburg, or at the polls, it had been foreseen, that General Harrison would die in one short month after the commencement of his administration; that Vice-President Tyler would be elevated to the presidential chair; that a bill, passed by decisive majorities of the first whig Congress, chartering a national bank, would be presented for his sanction, and that he would veto the bill, do I hazard anything, when I express the conviction, that he would not have received a solitary vote in the nominating convention, nor one solitary electoral vote in any state in the Union?

"Shall I be told that the honor, the firmness, the independence of the chief magistrate might have been drawn in question if he had remained passive, and so permitted the bill to become a law? I answer, that the office of chief magistrate is a sacred and exalted trust, created and conferred for the benefit of the nation, and not for the private advantage of the person who fills it. Can any man's reputation for firmness, independence, and honor, be of more importance than the welfare of a great people? There is nothing, in my humble judgment, in such a course, incompatible with honor, with firmness, with independence, properly understood. Certainly, I most respectfully think, in reference to a measure like this, recommended by such high sanctions—by five Congresses, by the authority of four presidents, by repeated decisions of the supreme court, by the acquiescence and judgment of the people of the United States during long periods of time, by its salutary operation on the interests of the community for a space of forty years, and demanded by the people whose suffrages placed President Tyler in that second office whence he was translated to the first that he might have suppressed the promptings of all personal pride of private opinion, if any arose in his bosom, and yielded to the wishes and wants of his country. Nor do I believe, that, in such a course, he would have made the smallest sacrifice, in a just sense, of personal honor, firmness, or independence.

"But, sir, there was still a third alternative, to which I allude, not because I mean to intimate that it should be embraced, but because I am reminded of it by a memorable event in the life of President Tyler. It will be recollected, that, after the senate had passed the resolutions declaring the removal of the public deposites from the late bank of the United States to have been deroga-

tory to the constitution and laws of the United States, for which resolution, President, then Senator Tyler, had voted, the general assembly of Virginia instructed the senators from that state to vote for the expunging of that resolution. Senator Tyler declined voting in conformity with that instruction, and resigned his seat in the senate of the United States. This he did because he could not conform, and did not think it right to go counter to the wishes of those who had placed him in the senate. If, when the people of Virginia, or the general assembly of Virginia, were his only constituency, he would not set up his own particular opinion, in opposition to theirs, what ought to be the rule of his conduct when the people of twenty-six states—a whole nation—compose his constituency? Is the will of the constituency of one state to be respected, and that of twenty-six to be wholly disregarded? Is obedience due only to the single state of Virginia? The president admits, that the bank question deeply agitated, and continues to agitate the nation. It is incontestable, that it was the great, absorbing, and controlling question, in all our recent divisions and exertions. I am firmly convinced, and it is my deliberate judgment, that an immense majority, not less than two thirds of the nation, desire such an institution. All doubts in this respect ought to be dispelled, by the recent decisions of the two houses of Congress. I speak of them *as evidence* of popular opinion. In the house of representatives the majority was *one hundred and thirty-one to one hundred.* If the house had been full, and but for the modification of the sixteenth fundamental condition, there would have been a probable majority of forty-seven. Is it to be believed that this large majority of the immediate representatives of the people, fresh from among them, and to whom the president seemed inclined, in his opening message, to refer this very question, have mistaken the wishes of their constituents?"

Mr. Clay, notable as the author of compromises in difficult, some of them momentous public emergencies, had caused a compromise to be introduced in this bill, regarding the branching power, which was obnoxious to many of its supporters, but tolerated in anticipation of this—which may now be safely called—QUIBBLE of conscience in the acting president. It was known that he was disposed to make difficulty, and every possible pains was taken to avoid it. He wanted to quarrel with Mr. Clay;—for what hope could he have for the attainment of his ambitious object, while Mr. Clay was in his path? He therefore fell with great harshness, with rudeness, on this very clause of compromise in the bill, which was put in for the beneficent purpose of removing objections. "This IRON rule is to give way to no circumstance—it is unbending and inflexible. It is the language of the master to the vassal.

An unconditional answer is claimed *forthwith*." After such an assault on an act originating in a purpose so kind, it would require much charity to expect good from that quarter. And the assault was *personal*, the author of this part of the bill being known. There was other harsh language in the message on this point. "Now, Mr. President [said Mr. Clay], I will not ask whether these animadversions were prompted with a reciprocal spirit of amity and kindness, but I inquire whether all of them were perfectly just?" Mr. Clay shows—as is inherently obvious—that they were very unjust. The hypotheses erected by the acting president are extreme cases, which fall to the ground by the mere suggestion of the opposite extremes. "Extreme cases," says Mr. Clay, "should never be resorted to."

"The president, I think, ought to have seen, in the form and language of the proviso, the spirit of conciliation in which it was drawn, as I know. It does not assert the power; it employs the language of the constitution itself, leaving every one free to interpret that language according to his own sense of the instrument.

"Why was it deemed necessary to speak of its being 'the language of the master to the vassal,' of 'this iron rule,' that 'Congress wills, and submission is demanded?' What is this whole federal government but a mass of powers abstracted from the sovereignty of the several states, and wielded by an organized government for their common defence and general welfare, according to the grants of the constitution? These powers are necessarily supreme; the constitution, the acts of Congress, and treaties being so declared by the express words of the constitution. Whenever, therefore, this government acts within the powers granted to it by the constitution, submission and obedience are due from all—from states as well as from persons. And if this present the image of a master and a vassal, of state subjection and congressional domination, it is the constitution, created or consented to by the states, that ordains these relations. Nor can it be said, in the contingency supposed, that an act of Congress has repealed an act of state legislation. Undoubtedly in case of a conflict between a state constitution or state law, and the constitution of the United States, or an act of Congress passed in pursuance of it, the state constitution or state law would yield. But it could not, at least, be formally or technically said, that the state constitution or law was repealed. Its operation would be suspended or abrogated by the necessary predominance of the paramount authority.

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"I understand that some of our friends are now considering the practicability of arranging and passing a bill in conformity with the views of President Tyler? While I regret that I can take no

active part in such an experiment, and must reserve to myself the right of determining, whether I can or can not vote for such a bill after I see it in its matured form, I assure my friends that they shall find no obstacle or impediment in me. On the contrary, I say to them, go on—God speed you in any measure which will serve the country, and preserve or restore harmony and concert between the departments of government. An executive veto of a bank of the United States, after the sad experience of late years, is an event which was not anticipated by the political friends of the president—certainly not by me. But it has come upon us with tremendous weight, and amid the greatest excitement within and without the metropolis. The question now is, what shall be done? What, under this most embarrassing and unexpected state of things, will our constituents expect of us? What is required by the duty and the dignity of Congress? I repeat, that if, after a careful examination of the executive message, a bank can be devised which will afford any remedy to existing evils, and secure the president's approbation, let the project of such a bank be presented. It shall encounter no opposition, if it should receive no support, from me.

"But what further shall we do? Never, since I have enjoyed the honor of participating in the public councils of the nation, a period now of nearly thirty-five years, have I met Congress under more happy or more favorable auspices. Never have I seen a house of representatives animated by more patriotic dispositions—more united, more determined, more business-like. Not even that house which declared war in 1812, nor that which, in 1815–'16, laid broad and deep foundations of national prosperity, in adequate provisions for a sound currency, by the establishment of a bank of the United States, for the payment of the national debt, and for the protection of American industry. This house has solved the problem of the competency of a large deliberative body to transact the public business. If happily there had existed a concurrence of opinion and cordial coöperation between the different departments of the government, and all the members of the party, we should have carried every measure contemplated at the extra session, which the people had a right to expect from our pledges, and should have been, by this time, at our respective homes. We are disappointed in one, and an important one, of that series of measures; but shall we therefore despair? Shall we abandon ourselves to unworthy feelings and sentiments? Shall we allow ourselves to be transported by rash and intemperate passions and counsels? Shall we adjourn, and go home in disgust? No! No! No! A higher, nobler, and more patriotic career lies before us. Let us here, at the east end of Pennsylvania avenue, do our duty, our whole duty, and nothing short of our duty, toward our common country. We have repealed the sub-treasury. We

have passed a bankrupt law—a beneficent measure of substantial and extensive relief. Let us now pass the bill for the distribution of the proceeds of the public lands, the revenue bill, and the bill for the benefit of the oppressed people of this district. Let us do all, let us do everything we can for the public good. If we are finally to be disappointed in our hopes of giving to the country a bank, which will once more supply it with a sound currency, still let us go home and tell our constituents, that we did all that we could under actual circumstances; and that, if we did not carry every measure for their relief, it was only because to do so was impossible. If nothing can be done at this extra session, to put upon a more stable and satisfactory basis the currency and exchanges of the country, let us hope that hereafter some way will be found to accomplish that most desirable object, either by an amendment of the constitution, limiting and qualifying the enormous executive power, and especially the veto, or by increased majorities in the two houses of Congress, competent to the passage of wise and salutary laws, the president's objections notwithstanding."

The Hon. Wm. C. Rives, of Virginia, replied to Mr. Clay, in defence of the acting president, the unjustness of which could hardly be accounted for, except by the supposition, that the honorable senator had *prepared* his remarks, in anticipation of what Mr. Clay would *probably* say, and was somewhat hampered in adapting them to what he *did* say. Mr. Clay was obliged—a thing very unusual with him—frequently to interrupt and correct him; and he did not think of rejoining, till Mr. Rives sat down, and a senator at Mr. Clay's elbow, jogged him, and said: "You must answer that." It is usual for a member of a deliberative body, when he thinks of a reply, to take notes. On this occasion Mr. Clay had taken none, and rose at the prompting above stated, and made one of the most eloquent speeches of his life:—

"I have no desire," said Mr. Clay, "to prolong this unpleasant discussion; but I must say that I heard with great surprise and regret the closing remark, especially, of the honorable gentleman from Virginia, as, indeed, I did many of those which preceded it. That gentleman stands in a peculiar situation. I found him sev eral years ago in the half-way house, where he seems afraid to re main, and from which he is yet unwilling to go. I had thought, after the thorough riddling which the roof of the house had received in the breaking up of the pet-bank system, he would have fled somewhere else for refuge; but there he still stands, solitary and alone, shivering and pelted by the pitiless storm. The subtreasury is repealed; the pet-bank system is abandoned; the

United States bank bill is vetoed; and now, when there is as complete and perfect a reunion of the purse and the sword in the hands of the executive as ever there was under General Jackson or Mr. Van Buren, the senator is for doing nothing! The senator is for going home, leaving the treasury and the country in their lawless condition! Yet no man has heretofore, more than he has, deplored and deprecated a state of things so utterly unsafe, and repugnant to all just precautions, indicated alike by sound theory and experience in free governments. And the senator talks to us about applying to the wisdom of practical men, in respect to banking, and advises further deliberation! Why, I should suppose that we are at present in the very best situation to act upon the subject. Besides the many painful years we have had for deliberation, we have been near three months almost exclusively engrossed with the very subject itself. We have heard all manner of facts, statements, and arguments, in any way connected with it. We understand, it seems to me, all we ever can learn or comprehend about a national bank. And we have, at least, some conception too of what sort of one will be acceptable at the other end of the avenue. Yet now, with a vast majority of the people of the entire country crying out to us for a bank; with the people throughout the whole valley of the Mississippi rising in their majesty, and demanding it as indispensable to their well-being, and pointing to their losses, their sacrifices, and their sufferings, for the want of such an institution; in such a state of things, we are gravely and coldly told by the honorable senator from Virginia, that we had best go home, leaving the purse and the sword in the uncontrolled possession of the president, and above all things, never to make a party bank! Why, sir, does he, with all his knowledge of the conflicting opinions which prevail here, and have prevailed, believe that we ever can make a bank but by the votes of one party who are in favor of it, in opposition to the votes of another party against it? I deprecate this expression of opinion from that gentleman the more, because, although the honorable senator professes not to know the opinions of the president, it certainly does turn out in the sequel, that there is a most remarkable *coincidence* between those opinions and his own; and he has, on the present occasion, defended the motives and the course of the president with all the solicitude and all the fervent zeal of a member of his *privy council.* There is a rumor abroad, that a cabal exists—a new sort of kitchen cabinet—whose object is the dissolution of the regular cabinet, the dissolution of the whig party, the dispersion of Congress without accomplishing any of the great purposes of the extra session, and a total change, in fact, in the whole face of our political affairs. I hope, and I persuade myself, that the honorable senator is not, can not be, one of the component members of such a *cabal;* but I must say that there has been displayed by the honorable senator

to-day, a predisposition, astonishing and inexplicable, to misconceive almost all of what I have said, and a perseverance, after repeated corrections, in misunderstanding—for I will not charge him with wilfully and intentionally misrepresenting—the whole spirit and character of the address which, as a man of honor, and as a senator, I felt myself bound in duty to make to this body.

"The senator begins with saying that I charge the president with 'perfidy!' Did I use any such language? I appeal to every gentleman who heard me, to say whether I have, in a single instance, gone beyond a fair and legitimate examination of the executive objections to the bill. Yet he has charged me with 'arraigning' the president, with indicting him in various counts, and with imputing to him motives such as I never even intimated or dreamed; and that, when I was constantly expressing, over and over, my personal respect and regard for President Tyler, for whom I have cherished an intimate personal friendship of twenty years' standing, and while I expressly said, that if that friendship should now be interrupted, it should not be my fault! Why, sir, what possible, what conceivable motive can I have to quarrel with the president, or to break up the whig party? What earthly motive can impel me to wish for any other result than that that party shall remain in perfect harmony, undivided, and shall move undismayed, boldly and unitedly forward to the accomplishment of the all-important public objects which it has avowed to be its aim? What imaginable interest or feeling can I have other than the success, the triumph, the glory of the whig party? But that there may be designs and purposes on the part of certain other individuals to place me in inimical relations with the president, and to represent me as personally opposed to him, I can well imagine—individuals who are beating up for recruits, and endeavoring to form a third party, with materials so scanty as to be wholly insufficient to compose a decent corporal's guard."

The words "*corporal's guard*," dropping from the lips of Mr. Clay on this occasion, will for ever adhere to some half dozen members of the twenty-seventh Congress, of which gallant and renowned corps, Caleb Cushing, of Massachusetts, Henry A. Wise, of Virginia, and George H. Proffit, of Indiana, were members, and distinguished themselves in fighting the battles of "Captain Tyler," as he was generally termed, for like reasons. These gentlemen, together with Mr. Gilmer, of Virginia, and one or two others, did valiant service for the "captain," on the floor of the house of representatives. More fortunate than most of those who trusted in this perfidious man, "THE GUARD" were rewarded. Mr. Gilmer was made secretary of the navy, and afterward killed at the bursting of Captain Stockton's big gun on board the Princeton. Mr

Gilmer had been governor of Virginia, was a man of excellent character, of exemplary manners, and highly respected. His personal worth carried him through the senate, to the head of the navy department, notwithstanding the objection to his position as a member of "THE GUARD"—in which service, however, he was moderate, and always sustained his character of a gentleman. There was a universal sympathy at the manner of his death. Mr. Proffit was packed off, in a recess of Congress, as minister to Brazil, before his name was sent into the senate—probably with the expectation of having leave to return, when the senate should deliver their opinion. He was not disappointed. Mr. Cushing was presented to the senate for secretary of the treasury, and Mr. Wise for minister to France, and were each of them rejected three times in one night's session (March 3, 1843), the acting president having sent back their names, apparently to force them on the senate. But the regal power, in this instance, did not avail. The votes at each time were as follows: For Mr. Wise—first vote, 24 to 12; second vote, 26 to 8; third vote, 29 to 2. For Mr. Cushing—first vote, 27 to 19; second vote, 27 to 10; third vote, 29 to 2. When Mr. Proffit was rejected, by a vote of 33 to 8, Mr. Wise was nominated to succeed him, and confirmed by a vote of 30 to 10. An embassy to the Celestial Empire being resolved on, as important to the commercial interests of the United States in that quarter of the world, and the co-ordinate power of the senate in all such cases being defunct, they were obliged to accept such a nomination as the acting president should be pleased to make, and he presented Mr. Cushing! It can not be denied, that it was an executive retribution.

The conclusion of Mr. Clay's reply to Mr. Rives rightfully claims a place here:—

"I rose not to say one word which should wound the feelings of President Tyler. The senator says, that, if placed in like circumstances, I would have been the last man to avoid putting a direct veto upon the bill, had it met my disapprobation; and he does me the honor to attribute to me high qualities of stern and unbending intrepidity. I hope, that in all that relates to personal firmness, all that concerns a just appreciation of the insignificance of human life—whatever may be attempted to threaten or alarm a soul not easily swayed by opposition, or awed or intimidated by menace—a stout heart and a steady eye, that can survey, unmoved and undaunted, any mere personal perils that assail this poor, transient, perishing frame, I may, without disparagement, compare with other men. But there is a sort of courage, which, I frankly confess it,

I do not possess, a boldness to which I dare not aspire, a valor which I can not covet. I can not lay myself down in the way of the welfare and happiness of my country. That I can not, I have not the courage to do. I can not interpose the power with which I may be invested—a power conferred, not for my personal benefit, nor for my aggrandizement, but for my country's good—to check her onward march to greatness and glory. I have not courage enough, I am too cowardly for that. I would not, I dare not, in the exercise of such a trust, lie down, and place my body across the path that leads my country to prosperity and happiness. This is a sort of courage widely different from that which a man may display in his private conduct and personal relations. Personal or private courage is totally distinct from that higher and nobler courage which prompts the patriot to offer himself a voluntary sacrifice to his country's good.

"Nor did I say, as the senator represents, that the president should have resigned. I intimated no personal wish or desire that he should resign. I referred to the fact of a memorable resignation in his public life. And what I did say was, that there were other alternatives before him besides vetoing the bill; and that it was worthy of his consideration, whether consistency did not require that the example which he had set when he had a constituency of one state, should not be followed when he had a constituency commensurate with the whole Union. Another alternative was, to suffer the bill, without his signature, to pass into a law under the provisions of the constitution. And I must confess, I see, in this, no such escaping by the back door, no such jumping out of the window, as the senator talks about. Apprehensions of the imputation of the want of firmness sometimes impel us to perform rash and inconsiderate acts. It is the greatest courage to be able to bear the imputation of the want of courage. But pride, vanity, egotism, so unamiable and offensive in private life, are vices which partake of the character of crimes in the conduct of public affairs. The unfortunate victim of these passions can not see beyond the little, petty, contemptible circle of his own personal interests. All his thoughts are withdrawn from his country, and concentrated on his consistency, his firmness, himself. The high, the exalted, the sublime emotions of a patriotism, which, soaring toward heaven, rises far above all mean, low, or selfish things, and is absorbed by one soul-transporting thought of the good and the glory of one's country, are never felt in his impenetrable bosom. That patriotism which, catching its inspirations from the immortal God, and leaving at an immeasurable distance below all lesser, grovelling, personal interests and feelings, animates and prompts to deeds of self-sacrifice, of valor, of devotion, and of death itself—that is public virtue; that is the noblest, the sublimest of all public virtues!

"I said nothing of any obligation on the part of the president to conform his judgment to the opinions of the senate and house of representatives, although the senator argued as if I had, and persevered in so arguing, after repeated corrections. I said no such thing. I know and respect the perfect independence of each department, acting within its proper sphere, of other departments. But I referred to the majorities in the two houses of Congress as further and strong evidence of the opinion of the people of the United States in favor of the establishment of a bank of the United States. And I contended that, according to the doctrine of instructions which prevailed in Virginia, and of which the president is a disciple, and, in pursuance of the example already cited, he ought not to have rejected the bill.

"I have heard that, on his arrival at the seat of the general government, to enter upon the duties of the office of vice-president, in March last, when interrogated how far he meant to conform, in his new station, to certain peculiar opinions which were held in Virginia, he made this patriotic and noble reply: 'I am vice-president of the United States, and not of the state of Virginia; and I shall be governed by the wishes and opinions of my constituents.' When I heard of this encouraging and satisfactory reply, believing, as I most religiously do, that a large majority of the people of the United States are in favor of a national bank (and gentlemen may shut their eyes to the fact, deny, or dispute, or reason it away as they please, but it is my conscientious conviction that two thirds, if not more, of the people of the United States desire such an institution), I thought I beheld a sure and certain guaranty for the fulfilment of the wishes of the people of the United States. I thought it impossible, that the wants and wishes of a great people, who had bestowed such unbounded and generous confidence, and conferred on him such exalted honors, should be disregarded and disappointed. It did not enter into my imagination to conceive, that one, who had shown so much deference and respect to the presumed sentiments of a single state, should display less toward the sentiments of the whole nation.

"I hope, Mr. President, that, in performing the painful duty which had devolved on me, I have not transcended the limits of legitimate debate. I repeat, in all truth and sincerity, the assurance to the senate and to the country, that nothing but a stern, reluctant, and indispensable sense of honor and of duty could have forced from me the response which I have made to the president's objections. But, instead of yielding without restraint to the feelings of disappointment and mortification excited by the perusal of his message, I have anxiously endeavored to temper the notice of it, which I have been compelled to take, by the respect due to the office of chief magistrate, and by the personal regard and esteem which I have ever entertained for its present incumbent."

None can fail to perceive, that these remarks are not of an ordinary character, even for Mr. Clay. But the calm dignity of their aspect from the pages where they lie recorded, in an imperfect report, can afford but a very faint idea of the manner, voice, intonations, pauses, bursts, thunders, low yet audible whispers, and all other attributes ascribed to this orator, on such occasions, in chapter iv., of the first volume. Many were startled from their seats, in admiration and ecstacy, and then sat down, as they afterward declared, because they could not stand. The senate immediately adjourned, as if conscious of the overpowering solemnity of the occasion, and a troop of friends—among whom were some political opponents—involuntarily surrounded Mr. Clay, offering him wine and water, while he wiped the floods of passion from his brows.

Not more than once since this occasion—probably it will never occur again—has Mr. Clay burst forth with all his astonishing powers, as a public orator. That was in May, 1843, as described in the chapter of this work above alluded to, when he addressed his fellow-citizens of Kentucky, at Lexington, in defence of himself, and of the twenty-seventh Congress. He was then strongly moved by two unlike emotions—pain that his friends had expressed some regret for the appointment he had made, and a virtuous indignation for the base calumnies that had been propagated against him; and these sentiments set in motion every other of which man is susceptible, and raised them to the highest pitch. From the first word he spoke, to the end, he was everything of which he was capable, as an orator, and the effect was prodigious. In the same manner, in this reply to Mr. Rives, powerful emotions roused every passion of his soul. The state of the country, the disappointment occasioned by the conduct of the acting president, the fact that one senator on that floor could rise in vindication of such conduct, and the manner of his doing it, with a thousand thoughts rushing out from the past, and looking into the future, as allied to the momentous interests of the republic, for the preservation and success of which he had labored so long and with so much concern—and rising as he did from a sudden impulse, imparted by a friend—all combined to stir up his soul to one of those mighty efforts, which, in the course of his life, have now and then excited so much amazement, and produced such marvellous effects.

CHAPTER XV.

MR. CLAY AND THE TWENTY-SEVENTH CONGRESS.

What gained and What lost.—Perfidy of the Acting President.—Mr. Clay's Position.—His Plan of National Policy and Reform, submitted in the Form of Resolutions.—Statement and Consideration of this Plan.—Objects aimed at in 1840.—Doom of the then existing Administration.—Could not reform.—Must therefore forge Chains.—Project for a Standing Army of 200,000.—The Sub-Treasury.—Disclosures of Extravagance and Corruption made by the Twenty-Seventh Congress.—Their Fidelity.

THE great measure of the twenty-seventh Congress was the tariff of 1842, which rescued the country, and was sufficient to secure its prosperity, under many disadvantages. Nearly all the other great measures of national policy, contemplated by the party which came into power with such an unprecedented and overwhelming majority—among which as most prominent, were the re-establishment of a national currency, and the distribution of the proceeds of the public lands among the states—were defeated by the political defection and faithless conduct of the acting chief magistrate.

Nothing of material consequence was effected for the relief of the country, at the extra session of the twenty-seventh Congress, except the repeal of the sub-treasury, and the rescue of the debtor portion of the community by the passage of a bankrupt law—a most undesirable necessity, created by the wide-spread disasters of misrule, and a measure, which is always sure to make as many more enemies than friends, as the number of creditors exceeds that of the debtors relieved, and therefore demanding eminent moral courage and patriotic resolution to put it in operation. It was the beginning of the misfortunes of the party raised to power, that the only new and great measure which the perversity of the acting chief magistrate, in the use of the regal power of the constitution, would allow them to pass at this session, was an obnoxious one That very power, for ever subverting the public will.

as expressed by its representative organs, which Mr. Clay had been fighting against so long, had started up, with new and hydra heads, at the moment when it was supposed to be crushed, and in the very agent, who was appointed to suppress it! And it appeared again to disappoint the nation of the object of its great and agonizing effort for relief.

Nevertheless, even in these discouraging circumstances, Mr. Clay was still at his post; and his plan of public policy, which he thought it his duty to submit to this Congress, before he retired for ever from that field of labor where he had toiled, with little interruption, nearly forty years, was propounded to the senate in the resolutions he there offered on the first of March, 1842, and explained and advocated in his speech made on the same occasion. He begins as follows:—

"Mr. President, the resolutions which have just been read, and which are to form the subject of the present discussion, are of the greatest importance, involving interests of the highest character, and a system of policy which, in my opinion, lies at the bottom of any restoration of the prosperity of the country. In discussing them, I would address myself to you in the language of plainness, of soberness, and truth. I did not come here as if I were entering a garden full of flowers, and of the richest shrubbery, to cull the tea-roses, the japonicas, the jasmines, and woodbines, and weave them into a garland of the gayest colors, that, by the beauty of their assortment, and by their fragrance, I may gratify fair ladies. Nor is it my wish—it is far, far from my wish—to revive any subjects of a party character, or which might be calculated to renew the animosities which unhappily have hitherto prevailed between the two great political parties of the country. My course is far different from this; it is to speak to you of the sad condition of our country; to point out, not the remote and original, but the proximate, the immediate causes which have produced, and are likely to continue our distresses, and to suggest a remedy. If any one, in or out of the senate, has imagined it to be my intention, on this occasion, to indulge in any ambitious display of language, to attempt any rhetorical flights, or to deal in any other figures than figures of arithmetic, he will find himself greatly disappointed. The farmer, if he is a judicious man, does not begin to plough till he has first laid off his land, and marked it off at proper distances, by planting stakes, by which his ploughmen are to be guided in their movements; and the ploughman, accordingly, fixes his eye upon the stake opposite to the end of the destined furrow, and then endeavors to reach it by a straight and direct line. These resolutions are my stakes."

The position which Mr. Clay occupied at this moment, is one that justly claims, and will naturally excite, the profoundest interest. He had done all he could, in a struggle of many years, to save the country from the calamitous effects of former usurpations of regal power; he had magnanimously fought through the political revolution of 1840, on the stump, in support of the candidate who had received the suffrages of the Harrisburg convention, of 1839, to the exclusion of himself, whom every just-minded man knew ought to have been the nominee; he had reluctantly retained his seat in the senate, to assist in establishing the measures of the new administration; the lamented Harrison, who enjoyed the sincere friendship and respect of Mr. Clay, by an inscrutable dispensation of Providence, had descended to the tomb; a miserable creature, on whose faith, in the social relations, not the least reliance could be placed, succeeded to power, who, after he came to act as chief magistrate, could not command the respect of one honorable man, and was surrounded only by the vilest sycophants; and as a consequence of this infidelity, all the contemplated measures of the new administration were put in jeopardy, and some of the most vital were already sacrificed by the perfidy of this man, when Mr. Clay brought forward these resolutions on this occasion. Labors lost, and universal gloom, overshadowed the minds of all true patriots. All that Mr. Clay could do, was to submit his propositions to Congress and the nation, if, peradventure, a more fortunate period of the republic might yet come round, when they would chance to receive due consideration. Mr. Clay proceeded to say:—

"The first resolution declares—

"'That it is the duty of the general government, for conducting its administration, to provide an adequate revenue within the year, to meet the current expenses of the year; and that any expedient, either by loan or treasury-notes, to supply, in time of peace, a deficiency of revenue, especially during successive years, is unwise, and must lead to pernicious consequences.'

"I have heard it asserted, that this resolution is but a truism. If so, I regret to say, that it is one from which governments too often depart, and from which this government especially has departed during the last five years. Has an adequate revenue been provided within each of those years, to meet the necessary expenses of those same years? No; far otherwise.

"In 1837, at the called session, instead of imposing the requisite amount of taxes on the free articles, according to the provisions of the compromise act, what was the resort of the administration? To treasury-notes. And the same expedient of treasury-notes has

been ever since adopted, from year to year, to supply the deficit accruing. And, of necessity, this policy cast upon the administration succeeding, an unascertained, unliquidated debt, inducing a temporary necessity on that administration, to have resort to the same means of supply.* * * * *

"The next three resolutions all relate to the same general subjects—subjects which I consider much the most important of any here set forth; and I shall, for that reason, consider them together.

"The second resolution asserts:—

"'That such an adequate revenue can not be obtained by duties on foreign imports, without adopting a higher rate than twenty per centum, as provided for in the compromise act, which, at the time of its passage, was supposed and assumed as a rate that would supply a sufficient revenue for an economical administration of the government.'

"The third resolution concludes:—

"'That the rate of duties on foreign imports ought to be augmented beyond the rate of twenty per centum, so as to produce a net revenue of twenty-six millions of dollars—twenty-two for the ordinary expenses of government, two for the payment of the existing debt, and two millions as a reserved fund for contingencies.'

"'The fourth resolution asserts:—

"'That, in the adjustment of a tariff to raise an amount of twenty-six millions of revenue, the principles of the compromise act generally should be adhered to; and that especially a maximum rate of ad-valorem duties should be established, from which there ought to be as little departure as possible.'

"The first question which these resolutions suggest, is this: what should be the amount of the annual expenditures of this government? Now, on this point, I shall not attempt, what is impossible, to be exact and precise in stating what that may be. We can only make an approximation. No man, in his private affairs, can say, or pretends to say, at the beginning of the year, precisely

* It was in the revenue bill of 1841 (extra session), that Mr. Clay moved an amendment for the protection of silver ware and jewelry. The duties on these articles had been 12 per cent.; the bill went from the house to the senate, reduced in this item to 5 per cent. Mr. Clay's amendment raised the duties on silver ware to 30 per cent., and on jewelry to 25, which passed, and the same are incorporated in the tariff of 1842. In gratitude for this service, the New York gold and silver artisans—refusing subscription from the dealers—alone raised $1,000, and presented Mr. Clay with a splendid silver vase, weighing 275 ounces, surmounted by the American eagle, perched on a rock dashed by the waves of the sea, surrounded by a circle of hearts, the whole exhibiting various appropriate and elegant devices, and displaying the following inscription: "Presented to HENRY CLAY, by the gold and silver artisans of the city of New York, as a tribute of their respect for the faithful and patriotic manner in which he has discharged his high public trusts, and especially for his early and untiring advocacy of PROTECTION TO AMERICAN INDUSTRY. 1845. Wm. Adams, M. G. Baldwin, A. G. Peckham, Edwd. Y. Prime, Dan. Carpenter, David Dunn, committee." It is proper to observe, that a committee of the above two classes of artisans, had been sent to Washington to implore protection against foreign competition and the frauds of foreign factors, and that the bill was about to pass, when Mr. Clay moved his amendment, and saved them

what shall be the amount of his expenses during the year; that must depend on many unforeseen contingencies, which can not, with any precision, be calculated beforehand; all that can be done is to make an approximation to what ought to be, or what may be the amount. Before I consider that question, allow me to correct here, an assertion made first by the senator from South Carolina [Mr. Calhoun], and subsequently by the senator from Missouri near me [Mr. Linn], and I believe by one or two other gentlemen, namely, that the whig party, when out of power, asserted that, if trusted with the helm, they would administer this government at an amount of expenditure not exceeding thirteen millions of dollars. I hope, if such an assertion was actually made by either or all of these gentlemen, that it will never be repeated again, without resorting to proof to sustain it. I know of no such position ever taken by the whig party, or by any prominent member of the whig party. Sure I am that the party generally pledged itself to no such reduction of the public expenses—none.

"No—but this was what they said: 'During the four years of the administration of Mr. Adams, the average amount of the public expenditure was but thirteen millions, and you charged that administration with outrageous extravagance, and came yourselves into power on promises to reduce the annual expenditure; but, having obtained power, instead of reducing the public expenses, you carried them up to the astonishing amount of near forty millions.'"

It may, perhaps, be supposed that there is an inconsistency between what Mr. Clay says here, and his private letter to Mr. Johnson, of 1831, inserted at the opening of chapter viii. of this volume, and that, if he thought twelve millions would do then, twenty-two millions was a large allowance for 1842. As to consistency, it can not be a question, as Mr. Clay, in 1842, was speaking of a matter of fact, not of opinion. Next, the phrase "*about* twelve millions," used by him in 1831, shows that he did not pretend to be definite, nor was it for public purposes, but in a private communication. Thirdly, it shows that he was moderate, and not extravagant. Fourthly, it does not appear, that twenty-two millions for 1842 was greater than twelve for 1831. But, fifthly, Mr. Clay's opponents, who had brought up the public expenditures to an average of over thirty-five millions, from 1837 to 1840, inclusive, are the last who are entitled to complain of his opinion in 1831, or his estimates in 1842.

Mr. Clay proceeds:—

"The question recurs, at what sum can the expenses of the government be now fixed?

"I repeat that the exact amount is difficult to be ascertained

I have stated it in the resolution I now offer, at *twenty-two millions;* and I shall soon show how I have arrived at the amount. But, before I do that, allow me to call the attention of the senate to the expenditures of the preceding administration; for, in attempting to fix a sum for the future, I know of no course but to look back upon the experience of the past, and then to endeavor to deduce from it the probable amount of future expenditure. What, then, were the expenditures of the four years of the past administration?

In 1837, the amount was	$37,265,037 15
In 1838, it was	39,455,438 35
In 1839, "	37,614,936 15
In 1840, "	28,226,533 81
Making an aggregate of	$142,561,945 46

" Which gives us an average per year of thirty-five millions six hundred and forty thousand four hundred and eighty-six dollars and thirty-eight cents.

" The sum I have proposed is only twenty-two millions, which deducted from thirty-five, as above, leaves a reduction of thirteen millions six hundred and forty thousand dollars—being a sum greater than the whole average expenditure of the extravagant and profligate administration of Mr. Adams, which they told us was so enormous that it must be reduced by a great 'retrenchment and reform.' "

It is manifestly not very encouraging to upright statesmen to be obliged to encounter such charges as were made against the extravagances of Mr. Adams's administration, when brought by men who contrived in a few years to increase the expenses of government nearly three to one.

The political revolution of 1840 was fortunate enough for those who had for many years been in charge of the government. They were committed to principles and measures, that would have involved them in inextricable financial difficulties, before another four years could have accomplished their round. It is true the subtreasury was a good device to pay the salaries of the president and his officeholders, and if the people would have submitted to direct taxation, without anything to pay, for the support of these public functionaries, it might have done. But the feeling manifested in 1840 showed, that it was at least an age too early to rely on such measures. How, then, was the treasury to be supplied on free trade principles? The revenue for the last four years had been inadequate for the expenditures of the government by some thirty millions, or more, and was rapidly falling off every year. Even

with the check of the transient tariff of 1841, it went down to less than thirteen millions at the expiration of the term of the compromise act. How could a government, spending thirty-five millions a year, get along with such a revenue?—a government whose principles and measures were necessarily cutting it down every year. The creditors of the United States, and the capitalists of the world, were lookers-on. They could not but see the tendency and the end of such a course. It is well known, that the credit of the government was already used up, and not a dollar could be borrowed, till the tariff of 1842 was enacted. The system of credit resorted to in the issue of treasury-notes, was a bubble which had had its day, and was on the eve of bursting. There was no apparent prospect of reducing the expenses of the government, while it remained in the same hands. Every succeeding annual report of the secretary of the treasury presented nothing but more discouraging and yet darker prospects. Mr. Woodbury, speaking, in his report of 1840, of the descending scale of duties, said: "If the imports then [1842] should not differ much from those of 1838, this [statement just made] would leave an income from them not probably exceeding ten or eleven millions of dollars yearly." What could be done in a persistance in such measures, on such principles? The seven-to-eight millions annual deficit in the revenue, which must soon be ten millions, soon fifteen, soon twenty, and so on, swelling up a national debt like mountains, were prospects which the most courageous financier could not comfortably face, and which the sympathies of a dependent and imploring government could not at all relieve.

But it is altogether unnecessary to carry out these contingent results in such forms—forms which had a fair promise of growing into substances. The government of the United States could not have subsisted two years longer under such a policy, without falling into bankruptcy, and resorting to direct taxation for its support. Direct taxation, indeed, appears to have been the aim. It has been avowed. It is a fundamental doctrine of the advocates of that policy. But that could not lessen, but would only have increased the difficulties, with a people whose habits and feelings were not prepared for it—to say nothing of the still greater difficulties arising from general poverty, which, in a state of things induced by such a policy, would have rendered the payment of taxes, thus imposed, absolutely impossible. The system of protection entirely broken down, there would have been no money in the country, except in

the sub-treasury vaults, which, being evoked for the uses of government, and not replenished by a people who had none, would itself take wings and fly away to satisfy foreign demands.

"How, then," said Mr. Clay, "will the total of our expenditures stand? We shall have—

For the civil and diplomatic expenses of the government....	$3,500,000
For the military service	9,000,000
For the naval service	6,500,000
For permanent appropriations	1,500,000
For appropriations not included in estimates.....	1,500,000
Making an aggregate of.....	$22,000,000

"To this amount I suppose, and hope, our expenses may be reduced, until, on due investigation, it shall be discovered that still further reductions may be effected.

"Well, then, having fixed the amount at twenty-two millions for the ordinary current expenses of government, I have supposed it necessary and proper to add two millions more to make provision for the payment of the existing national debt, which is, in the event of the loan's being taken up, *seventeen millions*. And then I go on to add two millions more as a reserved fund, to meet contingencies; so that, should there be a temporary rise of the expenditures beyond twenty-two millions, or any sudden emergency should occur which could not be anticipated or calculated on, there may be the requisite means in the treasury to meet it. Nor has there been a single secretary at the head of the treasury since the days of Mr. Gallatin, including the respectable gentleman from New Hampshire opposite [Mr. Woodbury], who has not held and expressed the opinion, that a reserved fund is highly expedient and proper for contingencies. Thus I propose that twenty-two millions shall be appropriated for ordinary expenses, two millions more to provide for the public debt, and other two millions a reserved fund to meet contingencies: making in all twenty-six millions."

The plain, matter-of-fact, business character of the foregoing extracts, are a sufficient verification of the declaration at the outset, that Mr. Clay did not consider himself as entering a garden "to cull tea-roses, japonicas, jasmines, and woodbines, wherewithal to weave a garland for fair ladies, or to deal with any other figures, than figures of arithmetic." Those only will be able to appreciate this notice, who are given to understand, that, when it was known Mr. Clay was going to occupy the floor, the ladies would flock to the galleries; and this was no doubt said, with a glance of the eye aloft, to the brilliant circle with which he was surrounded. They were not, however, disposed to retire, even with such a warning, that he had no flowers for the FAIR.

The system with which Mr. Clay went into this great and comprehensive theme—it was nothing less than the entire policy of a nation—and the correctness with which he carried it through—correct as to facts of infinite variety and complication—show the statesman of forty years' sagacious observation and profound experience. None but a mind, so long and so well trained in state affairs, could lay out a plan of national policy in detail, with such reliable certainty. Nothing more is attempted in these extracts, than to present the more prominent and weighty elements of the system in isolated forms. The filling-up belongs to the careful studies and practised work of legislation, and the completeness of the picture will be found in the entire speech. The elements of calculation by which Mr. Clay arrived at his results, are so arranged as to amount to the clearest demonstration of the policy necessary to be adopted, and of the amount of duties that must be imposed to raise an adequate revenue—all based on the principles of the compromise of 1833, and shown to accord with them. For the last time Mr. Clay reasserts his views of that act, and explains it, which is in part cited in a former chapter, where that subject was especially under consideration. The conclusion of his remarks on this subject, is thus stated:—

"I contend, therefore, with entire confidence, that it is perfectly consistent with the provisions of the compromise act, to impose duties to any amount whatever, thirty, forty, or more per centum, *subject to the single condition of an economical administration of the government.*"

Mr. Clay gives a preference to the ad-valorem mode of assessing duties, with a minute exposition of his views, the substance of which is thus stated:—

"The one principle declares that the duty shall be paid upon the real value of the article taxed; the specific principle imposes an equal duty on articles greatly unequal in value. Coffee, for example, is one of the articles on which a specific duty has been levied. Now, it is perfectly well known that the Mocha coffee is worth at least twice as much as the coffee of St. Domingo or Cuba, yet both pay the same duty. The tax has no respect to the value, but is arbitrarily levied on all articles of a specific kind, alike, however various and unequal may be their values. I say that, in theory, and according to every sound principle of justice the ad-valorem mode of taxation is entitled to the preference."

At the same time he speaks of the importance of a home valuation.

The fifth resolution proposed by Mr. Clay on this occasion, was the following:—

"*Resolved*, That the provision in the act of the extra session, for the distribution of the proceeds of the public lands, requiring the operation of that act to be suspended in the contingency of a higher rate of duty than twenty per centum, ought to be repealed."

It is practically interesting and important to observe, that Mr. Clay finds elements of calculation here for the statement, that in withholding the proceeds of the public lands from the states, no more is gained, than an average rate of duties at twenty-seven, or twenty-seven and a half, instead of thirty per cent.; and he challenges proof to the contrary. It follows, that this almost inappreciable gain to the nation, is to be set over against the inestimable benefit to the states, as involved in the question of distribution.

The following are the sixth and seventh resolutions:—

"*Resolved*, That it is the duty of government, at all times, but more especially in a season such as now exists, of general embarrassment, and pecuniary distress, to abolish all useless institutions and offices, to curtail all unnecessary expenses, and to practise rigid economy.

"*Resolved*, That the contingent expenses of the two houses of Congress ought to be greatly reduced; and the mileage of members of Congress ought to be regulated, and more clearly defined."

The first of these two resolutions, aims, as all conversant with the history of the extravagant expenditures of the two former administrations (Jackson's and Van Buren's) will perceive, at retrenchment from those prodigal habits. Upon the second, Mr. Clay says:—

"It has appeared to me, that the process of retrenchment of the public expenses, and reform of existing abuses, ought to begin, in an especial manner, here, with ourselves, in Congress itself, where is found one of the most extravagant of all the branches of the government. We should begin at home, and encourage the work of retrenchment by our own example. I have before me a document which exhibits the gradual progress in the contingent expenses of the two houses of Congress, from 1820 to 1840, embracing a period of twenty years, divided into terms four years apart, and it shows that the amount of the contingent fund has advanced from eighty-six thousand dollars, which it was in 1824, to one hundred and twenty-one thousand in 1828, a rate of increase not greater than was proper, considering the progress of the country; to one hundred and sixty-five thousand in 1832; to two hundred and sixty-three thousand, in 1836; and, in 1840, it

amounted, under an administration which charged that in 1824 with extravagance, to the enormous sum of three hundred and eighty-four thousand, three hundred and thirty-three dollars! I am really sorry, for the credit of Congress, to be obliged to read a statement exhibiting such shameful, such profligate waste. And allow me here to say, without any intention of being unkind to those able and competent officers, the secretary of the senate, and the clerk* of the house of representatives (not the present clerk), that they ought to bear a share of the responsibility, for the great and sudden growth of this expenditure. How did it arise? The clerk presents his estimate of the sum that will be necessary, and the committee of ways and means, being busily occupied in matters of greater moment, take it without sufficient examination, and insert it at once on the appropriation bill. But I insist that it should be cut down to a sum of which members of Congress may, with some decency, speak to their constituents. A salutary reform has been commenced in the house of representatives, which ought to be followed up here. They have already stricken one hundred thousand dollars from the contingent fund for both houses; but they should go much lower. I hope there will be another item of retrenchment, in fixing a reasonable maximum amount, to be allowed for stationery furnished to the members of Congress. If this shall be adopted, much will have been done; for this is one of the most fruitful sources of congressional extravagance. I am told that the stationery furnished during the twenty-fifth Congress averages more than one hundred dollars per head to each member. Can any man believe that any such amount as this can be necessary? Is it not an instance of profligate waste and profusion?

"My next resolution is directed to the expenses of the judicial department of the government:—

"'*Resolved*, That the expenses of the judicial department have, of late years, been greatly increased, and ought to be diminished.'"

After showing that there was occasion for this reproach, he says:—

"I am truly sorry, that in a branch of the government which, for its purity and uprightness, has ever been distinguished, and which so well merits the admiration of the whole country, there should have occurred so discreditable an increase in the expenses of its practical administration.

"The next resolution asserts—

"'That the diplomatic relations of the United States with foreign powers have been unnecessarily extended during the last twelve years, and ought to be reduced.'

* It is but justice to those officers to say, that the most extravagant increase in the contingent expenses of Congress, is in the article of printing, for which they are not responsible.

"I will not dwell long on this subject. I must remark, however, that since the days of Mr. Adams's administration, the number of foreign ministers, of the first grade, has nearly doubled, and that of ministers of the second grade has nearly tripled. Why, we have ministers abroad, who are seeking for the governments to which they are accredited, and the governments are not to be found! We have ministers at Constantinople and Vienna, and for what? We have an unreciprocated mission to Naples, and for what? There was, at the last session, an attempt to abolish this appointment, but it unfortunately failed. One would think, that, in such a one-sided, unreciprocated diplomacy, if a regard to economy did not prompt us to discontinue the relation, national pride would. In like manner, we might look round the coasts of Europe, and of this continent, and find mission after mission which there seems to be no earthly utility in retaining. But I forbear.

"The next resolution of the series reads thus:—

"'*Resolved*, That the franking privilege ought to be further restricted, the abusive uses of it restrained and punished, the postage on letters reduced, the mode of estimating distances more clearly defined and prescribed, and a small addition to postage made on books, pamphlets, and packages transmitted by the mail, to be graduated and increased according to their respective weights.'"

The new postage law of 1845 has in part fulfilled the purposes of this resolution.

"'*Resolved*, That the secretaries of state, of the treasury, of war, and of the navy departments, and the postmaster-general, be severally directed, as soon as practicable, to report what offices can be abolished, and what retrenchments of public expenditure can be made, without public detriment, in the respective branches of the public service under their charge.'"

This is the last of the resolutions offered by Mr. Clay on this occasion, in the development of his plan of national policy, and public reform. He was not insensible, that he was striking at the head of the monster; for, of all men, except the national executive, the heads of departments are most incapable of reform in the way of retrenchment; and yet, if it is not done there, it can not be done anywhere; for the spheres of their superintendence comprehend all the expenditures of the government. Mr. Clay said:—

"We all know that, if the heads of departments will not go to work with us honestly and faithfully, in truth and sincerity, Congress, thus unaided, can effect comparatively but little. I hope they will enter with us on the good work of retrenchment and re-

form. I shall be the last to express in advance any distrust of their upright intentions in this respect. The only thing that alarms me is, that two of these departments have come to us asking for appropriations far beyond any that have heretofore been demanded in time of peace, and that with the full knowledge of the fact of an empty treasury. But I still hope, when they shall see Congress heartily, in earnest, engaged in retrenching useless expenditure, and reducing estimates that can not be complied with, that they will boldly bring out to view all abuses which exist in their several spheres of action, and let us apply the pruning-knife, so as to reduce the national expenditure within some proper and reasonable amount. At all events, they are, of course, most familiar with the details of the subject, as it relates to their several branches of the administration."

The obvious reason why Mr. Clay spoke so discouragingly as to the probable fidelity to be found in this quarter, must be looked for in the fact, that the heads of departments appointed by General Harrison had all resigned except one, and that the new appointments had not the confidence of the party that was entitled to govern the country by the election of 1840. It was, in fact, as Mr. Clay suggested, impossible for Congress alone to effect a reform, without the aid of the executive and his departments; and the result of the whole was, that no man at the head of the government in the United States had ever stood more in the way of reform, or more shamefully prostituted his power to private ends and corrupt designs, than Mr. Tyler. His officers held the keys of the bureaus that were necessary to expose the corruptions of the preceding administrations, and he being disposed, not only to cover up the past, but to hide the future, Congress was able to make no other disclosures than such as could not be prevented by executive obstacles. The reforms intended by the revolution of 1840, and proposed by Mr. Clay and his associates in the twenty-seventh Congress, were, therefore, but very partially accomplished. It was almost in vain that Mr. Clay said:—

"Do we not owe it to this bleeding country, to ourselves, and the unparalleled condition of the time, to exhibit to the world a fixed, resolute, and patriotic purpose, to reduce the public expenditure to an economical standard?"

The following generous sentiments uttered on this occasion, will no doubt be appreciated:—

"I shall not now go into the causes by which the country has been brought down from the elevated condition of prosperity it

once enjoyed, to its present state of general embarrassment and distress. I think that those causes are as distinctly in my understanding and memory as any subjects were ever impressed there; but I have no desire to go into a discussion which can only revive the remembrance of unpleasant topics. My purpose, my fixed purpose on this occasion, has been to appeal to all gentlemen, on all political sides of this chamber, to come out and make a sacrifice of all lesser differences, in a patriotic, generous, and general effort, for the relief of their country. I shall not open those bleeding wounds which have, in too many instances, been inflicted by brothers' hands—especially will I not do so at this time, and on this occasion. I shall look merely at facts as they are. I shall not ask what have been the remote causes of the depression and wretchedness of our once-glorious and happy country. I will turn my view only on causes which are proximate, indisputable, and immediately before us."

After pointing to the secret of all the national troubles, in their practical results, to wit, the relaxation of the protective policy, and the consequent draining of the precious metals from the country, Mr. Clay says :—

"What, then, is to be done, to check this foreign drain? We have tried free trade. We have had the principles of free trade operating on more than half the total amount of our comforts, for the greater part of nine years past. That will not do, we see. Do let me recall to the recollection of the senate the period when the protective system was thought about to be permanently established. What was the great argument then urged against its establishment? It was this: that if duties were laid directly for protection, then we must resort to direct taxation to meet the wants of the government; everybody must make up their minds to a system of internal taxation. Look at the debate in the house of representatives of 1824, and you will find that was the point on which the great stress was laid. Well, it turned out as the friends of protection told you it would. We said that such would not be the effect. True, it would diminish importation, as it did; but the augmented amount of taxes would more than compensate for the reduced amount of goods. This we told you, and we were right."

It had happened ten years before, that Mr. Clay had been engaged in debate on this theme with General Hayne, of South Carolina, when the tariff of 1832 was pending, and that General Hayne had predicted certain contingent results. He depicted in the most glowing language the ruin which had fallen on the south, as the consequence of the tariff, and declared his conviction, that a return to free trade would restore their prosperity. Since the existence

of the compromise act, more than half of the imports had been duty free, and a descending scale of duties, without applying the principle of home valuation which the compromise contemplated, at least at the end of its term—it was a part of the compromise—and yet prosperity, as predicted by General Hayne, had not returned to the south, nor to any other part of the country. On the contrary, just in proportion as the administration of the compromise measure—it was owing chiefly to administration—approximated in its effects toward free trade, the condition of the country as a whole, and of every part of it, grew worse and worse. Such were the facts. And as there is no more reliable reasoning than that of deduction from ascertained events and occurrences, a comparison of the state of things before the tariff of 1824, with the state of things consequent thereupon, and with the state of things under the operation of the compromise, *as administered*, down to the end of its term, was obviously a safe, and the safest possible, rule of forming an opinion on the effects of protection as opposed to no protection. The state of the country for the seven years previous to 1824 was most deplorable; for seven years subsequent, it was never more prosperous, nor so much so; and no American citizen, living at the time, need be told of the accumulated calamities which befell the people of the United States from 1836 to 1840. Was not this light—convincing, overpowering light? And all parts of the country suffered together, as they had prospered together.

The secret of the difficulty was, as elsewhere shown in this work, that labor, which is the agent of power in despotic countries, was, in the relaxation of the protective policy in the United States, employed to deprive American labor of its fair reward, and to withdraw such a fraction of its compensation from the country as to impoverish it. The difference between the position of labor as the agent of power, and that of labor as an independent agent, is the difference between a state of bondage and of freedom. Labor controlled, in an open field, will soon control labor that before was uncontrolled. It is because the former is in hands that can afford to make present sacrifices for future profit—in hands professionally devoted to this very object, which have nothing else to do, which are skilled in their vocation, all whose interests are vested in the success of their scheme. Give them the field, and they are sure to succeed. It is impossible they should not. Having power over labor as an agent in one place, in their own domestic sphere, they are sure to extend that sway wherever the path is open—the path

of free trade. European despotism—that is despotic power in all countries which has subjected labor to its control—finds no other obstacle to the end of making the United States tributary, but the American system as advocated by Mr. Clay. The moment the protective policy is relaxed, or is made anything less than being fully adequate to protect American labor, as an independent agent, itself the power of the country, foreign despotisms march in, take possession of the field, and withdraw its wealth, for their own ag grandizement, and to fortify their position as the controlling power of the world. This is the hinge, the pivot, on which the protective policy turns; and the sooner it is seen to rest on this point, the better. There is no other. It is a controversy between labor as an agent in the hands of despotic power, and labor as an independent agent; and the question is, whether the latter shall remain independent, or consent to associate itself with the doom of those who are already subjected to the will of masters.

But let Mr. Clay speak on this point:—

"Who that has a heart, or the sympathies of a man, can say or feel that our hatters, tailors, and shoemakers, should not be pro tected against the rival productions of other countries? Who would say that the shoemaker, who makes the shoes of his wife—his own wife, according to the proverb, being the last woman in the parish that is supplied with hers—shall not be protected? that the tailor, who furnishes him with a new coat, or the hatter, that makes him a new hat, to go to church, to attend a wedding or christening, or to visit his neighbor, shall not be adequately protected?

"Then there is the essential article of iron—that is a great central interest. Whether it will require a higher degree of protection than it will derive from such a system as I have sketched, I have not sufficient information to decide; but this I am prepared to say, that question will be with the representatives of those states which are chiefly interested; and, if their iron is not sufficiently protected, they must take the matter up and make out their case to be an exception to the general arrangement. * * * * * *

"With me, from the first moment I conceived the idea of creating, at home, a protection for the production of whatever is needed to supply the wants of man, down to this moment, it has always been purely a question of expediency. I never could com prehend the constitutional objection which to some gentlemen seems so extremely obvious. I could comprehend, to be sure, what these gentlemen mean to argue, but I never had the least belief in the constitutional objection which slept from 1788 (or, rather, which reverses the doctrine of 1789), till it suddenly waked up in 1820. Then, for the first time since the existence of the constitution, was the doctrine advanced that we could not legiti-

mately afford any protection to our own home industry against foreign and adverse industry. I say, that with me it always was a question of expediency only. If the nation does not want protection, I certainly never would vote to force it upon the nation; but viewing it as a question of expediency wholly, I have not hesitated heretofore, on the broad and comprehensive ground of expediency, to give my assent to all suitable measures proposed with a view to that end.

"The senate will perceive that I have forborne to go into detail, especially in regard to the urgency of reform and retrenchment, with one or two exceptions. I have presented to it a system of policy embodied in these resolutions, containing those great principles in which I believe that the interest, prosperity, and happiness of the country, are deeply involved—principles, the adoption of which alone can place the finances of the government upon a respectable footing, and free us from a condition of servile dependence on the legislation of foreign nations. I have persuaded myself that the system now brought forward will be met in a spirit of candor and of patriotism, and in the hope that whatever may have been the differences in the senate in days past, we have now reached a period in which we forget our prejudices, and agree to bury our transient animosities deep at the foot of the altar of our common country, and come together as an assemblage of friends, and brothers, and compatriots, met in common consultation to devise the best mode of relieving the public distress. It is in this spirit that I have brought forward my proposed plan; and I trust in God, invoking as I humbly do, the aid and blessing of his providence, that the senators, on all sides of the chamber will lay aside all party feelings, and more especially that habitual suspicion to which we are all more or less prone (and from which I profess not to be exempted more than other men), that impels us to reject, without examination, and to distrust whatever proceeds from a quarter we have been in the habit of opposing. Let us lay aside prejudice; let us look at the distresses of our country, and these alone. I trust that in this spirit we shall examine these resolutions, and decide upon them according to the dictates of our own consciences, and in a pure and patriotic regard to the welfare of our country."

When the position of Mr. Clay at this time is considered, as being the close of nearly forty years' labors in the public service, it can not but be regarded with interest. An additional interest is cast over the scene, by the melancholy reflection, that, after having fought the battles of the democracy of the constitution for twelve years, against the excesses and abuses of its regal power, and triumphed at last, the very man who was bound by every considera-

tion of plighted faith, of honor, of patriotism, to aid as the chief executive of the nation in carrying out that system of measures propounded by Mr. Clay on this occasion, should have devoted himself, with too much success—being in possession of that same regal power which had been the cause of all the evils of the country—to thwart and defeat them! A yet additional interest rests on that occasion, in consideration of the fact, that, while Mr. Clay was laying out this plan of public policy and reform before the senate of the United States, on the eve of his retirement for ever, he still indulged the hope, that it would, and the feeling, that it MUST, be carried into effect!

The twenty-seventh Congress, brought in with General William H. Harrison, was elected by the people under a sense of the wrongs they had suffered under the two preceding administrations, embracing a period of twelve years. The people came forward with a calm, but resolute determination, to rescue the country, and achieved a triumph, if not unparalleled, yet the most decided of any presidential canvass, through which the nation had ever passed. It was a Congress of great ability—of high and patriotic purpose, apparently conscious of the responsible mission to which they were appointed, and resolved faithfully to fulfil it. They had more important business coming before them, and did more, than any other Congress ever assembled, in a time of peace. What they left undone, in the way of reform, was not their fault, for reasons already noticed. They came into power with a bankrupt treasury, a defective revenue, a ruined currency, trade and manufactures prostrate, and a people disheartened by a long train of public and private misfortunes. They were expected to find a remedy for these disasters, earlier than was possible, even if they had not been doomed to encounter the regal assumptions of a faithless executive. The wide-spread and universal ruin of a twelve-years' misrule, could not be repaired in so many months. Mr. Clay, in his speech at Lexington, of June 9, 1842, said: "The prosperity of the country has been impaired by causes operating through several years, and it will not be restored in a day or a year—perhaps not in a period less than it has taken to destroy it." Nevertheless, in fidelity of purpose, and vigor of undertaking, the twenty-seventh Congress has not been surpassed in the history of the national legislature, though the people were defrauded of the great design of their appointment.

The great object of the political revolution of 1840, was to introduce reform in the government, and retrench its extravagant expenditures, as well as to re-establish that system of policy, which, from 1824 as an epoch, had put the nation in a career of unexampled prosperity, and which had been broken down by the administration of General Jackson, on the ruins of which Mr. Van Buren and his immense corps of officials were installed. The leaders of the Jackson regime, under Mr. Van Buren, including him as chief, were suspected and accused by their opponents of aiming to establish a system of despotism. The evidence of this plot against the liberties of the republic, it was thought, was disclosed in the two comprehensive schemes of the sub-treasury, and the plan brought forward by the secretary of war (Mr. Poinsett) for the reorganization of the militia of the country. This belief was supported by the following considerations: First, the extravagant expenditures of the government had reached such a pitch, that they must be greatly reduced, or the power of the people must be suppressed by a new system. The former, it was said, could not be done, because the adhesive principle of the party in power was the spoils of office; and it was, therefore, necessary to resort to the second. Next, it was alleged—apparently with great force—that the sub-treasury and the new army scheme, taken together, were the most sure implements of despotism that could be invented, and if once established, all complaints of the people might be securely defied. The character of the sub-treasury is known. But this new plan for organizing the militia of the country, having been suddenly dropped, is little understood. It was in substance as follows:—

1. A dissolution of the old militia system. 2. Raising an army of two hundred thousand men. 3. Withdrawing them from the authority of the states, and putting them under control of the president of the United States. 4. To place them under a rigorous martial code, to be administered by courts-martial, as in all standing armies. 5. It was to be composed of citizen-soldiers, and to have all the rights of political franchise. 6. Any disrespectful language in this army toward the president of the United States, or other high public functionaries, was to be tried and punished by courts-martial. 7. The courts-martial to act under the authority and orders of the president of the United States, as commander-in-chief of the army. 8. This army to be under a special code of laws, to be enacted by Congress, and administered by the

president, through courts-martial. 9. Every soldier to arm and equip himself, and be under strict subordination. 10. The president might call the "ACTIVE CORPS" into service anywhere, at any time, and augment their force by draughts on the main body, at his discretion. 11. The constitutional rule, that the authorities of the states might call on the president of the United States, for aid in suppressing insurrections, &c., was reversed by this plan, which would authorize the president to move this army into any part of the country, as he might think proper, and turn the arms of the sovereign states against their own authorities, backed by the forces of the Union. 12. All the federal functionaries, throughout the Union, would, as a consequence of this system, be sustained by this armed force. 13. These citizen-soldiers were to be under the command of the superior officers of the regular army.

This plan, the details of which, as above presented, it is believed, are fairly deducible from it, was recommended by Mr. Van Buren, in his annual message of 1839, as follows :—

"The present condition of the defences of our principal sea ports and navy-yards, as represented by the *accompanying* report of the secretary of war, *calls for the early and serious attention of Congress; and as connecting itself intimately with this subject*, I CAN NOT RECOMMEND TOO STRONGLY TO YOUR CONSIDERATION THE PLAN SUBMITTED BY THAT OFFICER FOR THE ORGANIZATION OF THE MILITIA OF THE UNITED STATES."

The impression, however, made upon the public mind, by the disclosure of this plan, caused it immediately to be abandoned. But there it is, a part of the history of Mr. Van Buren's administration, although, not having been urged any further, it has been well nigh forgotten. They were forced to be content for the time with the sub-treasury, which was carried in 1840, and repealed in 1841.

Although the twenty-seventh Congress went earnestly to work to accomplish the reforms and retrenchments, which were so much needed, their success was but partial, in consequence of the defection and opposition of the vice-president, then acting as chief magistrate. Their committees of investigation, however, made some remarkable discoveries, and clearly showed, that the increased and enormous expenditures of the government, during the administrations of General Jackson and Mr. Van Buren, resulted from a system of favoritism, prodigality, and corruption, before unknown

in the history of the country. The contingent expenses of Congress had become scandalous in amount and detail.*

THE GRAND RESULT of reducing the appropriations to a little over *sixteen millions* a year, as shown in the note below, is suffi-

* For stationery used by the 25th Congress, the first under Mr. Van Buren, will be found such items as the following in the report of one of the committees on retrenchment (by Mr. Summers), 2d session, 27th Congress, house Doc. No. 30:—

For 3,079 reams envelope paper	$12,603 25	For wafers	$1,332 01
3,610 do. quarto post.	21,059 25	ink, 15 barrels	528 50
2,316 do. foolscap	9,951 25	inkstands	921 00
172 do. note	1,559 50	seals	1,080 00
493 gross of steel pens	4,569 39	pencils	562 00
83,700 quills	3,953 12	folders	615 00
making of pens	448 00	twine	312 72
sealing-wax	3,931 62	1,197 memorandum books	746 87
tape	2,739 30		
106 dozen penknives	2,602 00	Total	$69,514 78

Which, divided among 242 members of the House, shows, that the cost for stationery, for each member of the 25th Congress, for a period usually of about nine months, was $287 25.

How much is the average annual cost to professional men, lawyers, for example, for the above-named articles of stationery? Probably not over $20 a year—for nine months, $15—which leaves $272 25 for each member of the house of representatives, in the 25th Congress, unaccounted for to the people—in all, $65,884 78—a pretty round sum of waste for one branch of the national legislature, on the above-named articles.

How many penknives did they use severally? Divide 106 dozen, or 1,272, by 242, and the answer is 5 62. The average price of these penknives, it will be seen, was $2 04 and a fraction each, which, of course, makes a bill of a little less than $12, to supply each member of the 25th Congress in penknives for nine months. His sealing-wax cost somewhat over $16; his quarto post paper, $80 and some cents; and so on.

It is supposed the excessive price of these articles results in the same way, by which the clerk of the house of representatives of the same Congress, Mr. Garland, contracted with a favorite of the president, domiciliating at the time in New York, to furnish stationery to the amount of $25,000, whereon the said favorite cleared a profit of $7,000 to himself, over and above a fair profit in trade, as was proved and reported to the 27th Congress. In this way, of course, a penknife, which, in a fair market, cost $1 50 would cost the people over $2; and so with all the other articles. But when there happen to be two intermediate agents, each to make an extra profit of 33⅓ per cent. on the same articles, that helps to run up a bill fast. It would be difficult to account for these bills, except in such ways.

It appears from Mr. Summers's report, that the whole contingent expenses of the house of representatives rose from $106,000, in the 18th Congress, till they attained a maximum in the 25th Congress, of $595,000, increasing nearly 6 to 1 in sixteen years.

It also appears, that the contingent expenses of the senate for the year 1838, under Mr. Van Buren, were greater by the sum of $86,000, than for 1828, under Mr. J. Q. Adams; and greater, by $24,000, than for the whole four years, under Mr. Adams. A like result turns up in comparing the contingent expenses of the house for the same periods, viz.: that the aggregate, during Mr. Adams's *four* years, was less, by $89,000, than the same item for the one year, 1838, under Mr. Van Buren. (Compare No. 17, house document, 1st session, 26th Congress, with No. 39, house document, 1st session, 24th Congress.)

From the beginning of 1836 to 1841, the number of steamboats and sail craft employed in the transportation service for the Florida war, was 737, for which a very extravagant hire was generally paid. About fifty of these are named in house document No. 458, 2d session, 27th Congress, and their rates of hire specified. The following are specimens: The steamboat John Crowell, estimated to be worth $15,000, was hired at $300 a day, provided for and insured, till the

cient evidence of what the twenty-seventh Congress achieved, in the way of *retrenchment and reform*. They found every department of the government more or less ill organized, inefficient. extravagant, and corrupt, exerting a most pernicious influence on the

compensation amounted to $82,555. The Reindeer, 42 days, at $175 a day—being $7,350. The Georgiana, 32 days, at $200 a day—$6,400. The Charleston, 10 months, at $4,400 a month—$44,000. The Mobile was paid $11,625 for 25 days. The Minerva, 73 days, at $300 a day.—$21,900. The Merchant, 85 days, at $450 a day—$38,250.

Many other vessels were hired for short periods, at rates, which, on settlement, quadrupled the price at which they might have been purchased in the outset, so that much money would have been saved, if they had been bought and manned, and then burnt in the end.

Grant's concentric wheel wagon cost the government $2,363 50, of which Mr. Grant was paid $654 50 for superintending the construction of it, and $15 was paid for engraving plates on the wheels, to travel in the sands of Florida.

The purchase and delivery of 206 oxen was made to cost $12,187 20—for the oxen, $9,170 00; to the agent, $1,980 00; and for expenses in the transaction, $1,037 20.

A house at Picolata was rented at $3,600 a year. For 30 saddles, $50 each was paid. For 12 saddles, $87 50 each.

At Pilatka, in 1840, when the end of the war was every day expected, more than $100,000 was expended in public buildings, *on private lands*, when there was government lands hard by. It was of course sacrificed.

The foregoing items of extravagance are hastily selected from heaps of evidence of the same class brought before the 27th Congress, by which it is proved, that the Florida war was generally carried on, in whole and in particular, at a rate of most astounding prodigality. All the public agents in these transactions, from the Treasury Department at Washington, down to the last recipient of the public money, were perfectly familiar with this daily round of facts, for a course of years. Can it be imagined, that in any state of society, however corrupt, such extravagance and waste would be tolerated, under the eyes of so many agents, if there was no collusion among them, and if they did not all profit more or less by it? Do not these facts reasonably account for the protracted period of that war, when so much money was to be made out of it by all engaged?

The removal of 16,533 Creek Indians was made to cost the government $590,448 58. It was proved pretty fairly, by the committee on public expenditures, that these 16,533 Indians might have been removed for $186,530, thus making a clear saving, in this single transaction, honestly done, of $303,909 42—nearly two thirds of the actual cost. (Doc. No. 458, 2d Sess. 27th Cong.)

It is proved in house Doc. No. 454, 2d session, 27th Congress, that Capt. Buckner was paid $37,749 for doing nothing, after having been paid a very exorbitant price for what he did do, in removing Indians; and the most remarkable part of the disclosure is, that a high public functionary received $18,000 of this as a loan from Captain Buckner, apparently for his company and presence at the treasury department when the requisition was being made out. Whether such company silenced the scruples of the auditor, this deponent can not say. The evidence before the committee standeth thus: Witness (Captain Buckner) asked—"What he could do for him?" Answer. "Witness could loan him some money. Whereupon witness agreed to loan him $18,000."

All these accounts were allowed at the treasury department!

It is also proved that Captain Collins was intrusted with large sums of money, as disbursing agent, to the aggregate of $582,290, after he had proved himself a defaulter to one third of this amount, and that the government lost by him in the end the sum of $215,369. If settlements had been insisted on according to law, it would have been impossible, in any case of the most wilful fraud, to lose more than a small fraction of this amount. (Ho. Doc., No. 453, 2d Sess., 27th Cong.)

Speaking moderately, it may be presumed, from the volumes of evidence of this description that were filed by the 27th Congress, that by an honest and prudent administration of these affairs, the Florida war might have been brought to a close, and the Indian tribes all removed, at one half the actual cost to the coun-

morals of the people, and squandering the public funds by millions. The expenditures of the government, by such means, had been *tripled* since the administration of Mr. J. Q. Adams; but the twenty-seventh Congress, by the application of retrenchment, with

try. Moreover, from what has transpired, there is also a reasonable presumption that the period of the Florida war might have been abridged by several years.

Can any one suppose there was no collusion, no connivance among those who had the responsibility in these great concerns, for the advantage, pecuniary or political, that might accrue to them personally? With some the profit was pecuniary, with others political.

The sub-treasury system—the principle of which is, to trust individuals with the keeping of the public funds—was long in practice, under the administrations of General Jackson and Mr. Van Buren, before it was established by law in 1840. It is not easy to collect an exact account of the losses to the people by this system; but from the reports of Mr. Secretary Woodbury—a reluctant witness—of 1834, 1838, and 1839, on this subject, the following result is obtained from his somewhat mystified statements, in connexion with other facts that have transpired, viz.: that the government, since its foundation, had lost by *banks*, $857,890 85; and by *individuals*, in the various forms of trust, about $15,000,000.

It is now ascertained, that the loss by individuals in Mr. Van Buren's four years, as the result of his system of sub-treasury, was about $5,000,000, if what has since been developed under the operation of that system, and through his appointees, is included. The annual aggregate of frauds, therefore, of Mr. Van Buren's sub-treasury system, may be put down at $1,250,000.

It is somewhat remarkable, that the account between the government and the United States bank, as to loss and profit in all transactions for forty years, stands thus: Loss to government, 0; profit to government, $1,100,000, for premium on stocks, besides dividends, and the gratuitous functions of the bank as fiscal agent of the government for the said forty years.

All must remember the disclosures forced from Mr. Secretary Woodbury, under Mr. Van Buren's administration, regarding the frequency, character, and great amount of defalcations under the sub-treasury, and the concurrent proofs brought before the public, of executive indulgence toward the offenders, in continuing them in office after their defalcations were proved—all for partisan, political objects.

The enormities that were practised in the New York customhouse, were prodigious. The defalcations of Swartwout, Hoyt, & Co.—amounting to about one million and a half, seem to have veiled the minor frauds. In three years, 1838, 1839, and 1840, George A. Wasson received $94,430 92 for cartage and labor—nearly half for cartage—effected chiefly by charging for each package, 31¼ to 50 cents, which was the price for a *load*—in that way making a load run up to five or ten dollars, according to the number of packages. The stationery and printing, under Mr. Hoyt, for 1838, '39, '40, and first quarter of 1841, cost $51,703 22—averaging $275 76 a year to each person employed, being nearly double the average cost of stationery for each member of the house of representatives in the 25th Congress, that being $287 for two years. It was by allowing $22 a gross for steel pens, when they could be bought for $1 50; $3 50 a peck for sand, the fair price being 12½ cents; $80 a ream for paper, worth $15; $12 for one card of Perryan pens, or $1 50 for each pen; &c., &c. No difficulty in making it up in that way.

The revenue collected in the first year of Jonathan Thompson, 1825, was $15,754,827; employed 142 men, at a cost of $211,471; or at the rate of 1·34 per cent. The revenue collected by Mr. Hoyt, in 1840, was $7,591,760; men employed, 470, at a cost of $563,829; or at the rate of 7·42 per cent.

In addition to the collector's salary, Mr. Hoyt, in violation of law, as alleged by the committee on public expenditures, took to himself, in all, $29,883 36 for storage of merchandise in buildings rented on his private account, while the government is charged $29,294 24 for salaries of storekeeper, clerks, and inspectors, and for stationery, employed and used in said buildings.

Mr. Hoyt was reported to Congress by the secretary of the treasury, as a defaulter for $226,295 31. But Mr. Hoyt, anticipating this, charged the government (with his own hand, his clerk refusing) $201,580, that is, 1 per cent. on $20,158,

a salutary earnestness, brought the expenditures back again—*fully back*, if the growth of the country be considered. Boldly did they undertake to apply remedies to existing evils, and the result is announced to the world. They spared not the estimates

000 paid over by him to the orders of the secretary of the treasury—that is, 1 per cent. for the banking part of the collector's functions—a part of his duty.

In two years and four months, Mr. Butler, district attorney, was paid by Mr. Hoyt, collector, for services, $62,690 50. Mr. Hoyt's gleanings, it would seem, were somewhat less than a quarter of a million for about three years' service. (House documents Nos. 202 and 669, 2d session, 27th Congress.)

The branch mints were designed, especially the one at New Orleans, *to make gold flow up the Mississippi*. It seems they have rather tended to make it flow out into the sea. That at New Orleans cost $554,470. The three branches cost $822,457. They were established in 1838, and previous to 1842 had coined $2,884,708. The Philadelphia mint cost $209,230, and in 1836 alone coined $7,764,900. The cost of coining at the branch mints has been 28 cents and 3 mills for each dollar. The cost of coining at Philadelphia 13 cents and 9 mills for one hundred dollars.

Items expended on the New Orleans mint: $8,099 for four bath-houses, flagging yard, and paving side-walk; $3,846 for paving yard; $1,700 for seven baths and one water-closet; $818 for finishing water-closets; &c., &c. The voucher list of expenditures, numbering 272, is a curiosity—especially edifying to those who pay for it. (House Doc. No. 462, 2d session, 27th Congress.)

From house document No. 989, 2d session, 27th Congress, it appears, that the cost of mail-bags, from 1831 to 1841, was $336,000; that Mr. Jewett, of Ohio, contractor, was paid $68,124 13 for 4,782 bags; that, in November, 1840, there were on his (Jewett's) hands 4,020 bags, not wanted, which cost $65,000; that a large overplus was in the hands of other contractors; that bags could be got at 50 per cent. less than was paid in those years; that, for blanks, $300,000 was paid between 1829 and 1841, generally at about 50 per cent. more than fair price, leaving a supply on hand for twenty years to come; that storage for these surplus articles was charged and allowed; that, by these and other frauds, the expenditures of the post-office department were made to exceed its revenue, one year, by $386,759 19, and another year by $220,000, thus requiring special appropriations out of the revenue from customs and public lands; that Cyrus Barton, Concord, N. H., for blanks, from 1836 to 1841, received $13,927 14; Beals & Greene, Boston, Mass., from 1829 to 1832, for do., received $51,732 76; Paine & Clark, New York, from 1836 to 1841, for do., received $18,883 81; S. Penn, Jr., Louisville, Ky., for do., from 1830 to 1841, received $26,942 58; S. Medary, Columbus, Ohio, in 1836, for do., received $17,546 34; &c., &c.

All these, and other like favors, "for being always at their post, actively engaged"—"stopping at no sacrifice that would insure success"—"in promoting the interests of the noble cause"—which "heartily entitled them to executive favor"—&c., as stated in letters to the president. (See Doc. 989, as above.)

The same committee (on public expenditures) speak of the establishment of many new mail-routes and postoffices, not required, at great expense, for the benefit of partisan favorites, and of the "deep, dark, and unfathomable sinks," out of which these facts were fished, where many more of the same kind yet abide, which could not be hooked up.

From document No. 756 of the house, 2d session, 27th Congress, it appears, that the commissioning of ships, and the increase of officers in the navy, had been at the discretion of the executive; that the expenses of the navy had been doubled in ten years; that naval officers had been multiplied beyond former example, without sufficient cause; that the number in 1835 was 1,051, and in 1842, was 1,512, when 365, with an aggregate pay of $350,000, were "absent on leave, or waiting orders," that is, doing nothing; that many had been thus unemployed for en, twelve, or fourteen years, receiving pay, and being promoted.

It also appears, that, from 1834 to 1841, seventy-two naval officers, at different times, had been detailed into the "coast survey" service, and while thus ccupied, received double pay; that the revenue cutter service, being at the discretion of the executive, rose from an annual cost of $163,755 in 1830, to $274,803 in 1837,

sent in by the executive departments, but cut them down by millions.

The cases to which the knife of excision was applied, are too numerous for specification.

while the revenue collected had decreased about one third; that the expenses of the land office rose in one year from $23,500 to $108,750, and remained in 1841 at $98,500, when the land revenue was only $1,400,000; and that the expenses of the army had risen from $2,100,935 in 1829, to $4,197,028 in 1841.

The above instances of seventy-two naval officers detailed in the "coast-survey" service, with extra pay, is an example of extra allowances. This license, unwarranted by law, had pervaded the army and navy, and crept into other branches of the public service, to such an extent, as to amount, in the aggregate, to scarcely, if at all less than a million a year. It was a germ of corruption, of alarming growth, corresponding with the plurality system under the British government, which the reformers of that nation are fast breaking down, and which has always been allowed to be one of the greatest enormities in the British empire.

Expenditures without authority of law, to a great extent, were made in the progress of the two administrations that preceded that of 1841 to 1845. A very licentious practice of voting large contingent funds, for the different departments of government, had obtained, which presented temptations, and opened a floodgate of corruption, to the higher and lower public functionaries. Many hundred thousand dollars had in this way been put at the discretion of the administration, no small portion of which was squandered for most unsuitable partisan or private ends. The sacred deposites of trust-funds of various descriptions, were invaded and exhausted, without sanction of law.

The new practice of having large outstanding appropriations, lying over from one year to another, which often amounted to many millions, enough in some cases for the annual expenditures of the government, was introduced and carried on, and was often abused by applying such appropriations to objects not designated by law, at the discretion of the administration. In this way, there was never any want of funds, when a partisan object required it, or a private whim was to be gratified, or favorites wanted patronage.

Secret and partisan emissaries were by this means sent out, under the guise of government agents, for this, that, or the other object, the chief errand being confidential. It was only necessary to have a nominal government design, though unauthorized by law, to find an apology for drawing on contingent or trust funds, or on dormant outstanding appropriations. Special agents, almost without number, were, from time to time, put in commission for home or foreign missions, on the basis of this practice.

Mr. George Plitt was sent abroad, as postoffice agent, under Amos Kendall, at $16 a day, till the expenses ran up to $9,666 64, the payment of which was sanctioned by Mr. Van Buren, as president, without authority of law. In the same manner three young men were sent out in 1839, by Mr. Poinsett, secretary of war, to the cavalry school, at Saumer, in France, and three more in 1840—all without authority of law. Americans sent to Europe to learn to ride and manage a horse, at the public expense, at the caprice of a public functionary, and without legislative sanction!

A partisan press also experienced the benefits of contingent and disposable funds in the hands of the executive and his agents. In the two years of 1838 and 1839, Mr. Kendall, postmaster-general, contrived to run up bills for advertising and printing in one newspaper office, the Statesman, Columbus, Ohio, to the amount of $9,848 21. (Blue Book.) And so it was done all over the Union, by the different executive departments at Washington.

It should be observed, that the quotations here made, showing extravagance and corruption in the government, are only a few selections, extracted from voluminous and authentic public documents, furnished principally by that laborious and indefatigable committee on public expenditures, whose toils in the twenty-seventh Congress brought so much of concealed frauds to the light of day. The number and extent of them are hardly credible, the entire of which will readily account for the extraordinary and otherwise unaccountable expenditures of the two administrations, from whose books the facts and figures come.

Some millions were lopped off from the expenses of the army, by an act which reorganized and reduced it largely, and abolished numerous sinecures, and the corrupt custom of *extra* allowances, which sometimes exceeded regular pay, and which, as a whole,

The expenses of the government down to the end of Mr. Jefferson's administration, appear to have been frugal and exemplary. The cost of Washington's administration, comprehending eight years, was only.....$15,892,188
Of John Adams's four years..... 21,450,351
Of Jefferson's eight do..... 41,300,788
As the war with Great Britain came under Mr. Madison's terms of office, eight years, the expenses were of course extraordinary, and mounted up to $144,684,939
Monroe's eight years..... 104,463,400
J. Q. Adams's four do..... 50,501,914
It may be thought that the expenses of Mr. Monroe's and Mr. J. Q. Adams's administrations, were disproportionately large, as compared with the earlier days of the republic. But the growth of the country may account for a part of it, and the grander projects of the nation, suggested by the experience of the war, for the other part.

But it is somewhat startling to find the expenses of General Jackson's administration of eight years mounting up to.....$145,792,735
being greater than the cost of Mr. Madison's eight years, which had the war with Great Britain on hand. But yet more startling is the announcement of the fact, that Mr. Van Buren's administration of only four years, cost the nation..$140,585,321
In eight years, at this rate, it would have been..... 281,170,642
There are no apparent reasons, aside from the facts disclosed by the investigating committees of the twenty-seventh Congress—nor are these very satisfactory—for this rapid and amazing increase of national expenditures. Besides, that the Florida war was unnecessarily protracted and unnecessarily expensive, as has been shown, by the corruption and frauds involved in it, that, even as it was, will not account for but a small fraction of this great excess of expenditures above all former example.

Appropriations are generally in excess of the expenditures, with a view of granting a liberal supply. The appropriations of the twenty-seventh Congress for 1842, being the last half of one fiscal year and the first half of another, falling in 1842, were $21,603,784 58.

It should be observed, however, that the charges of the postoffice department, about four millions and a half, were a part of this appropriation, which should be deducted for a fair comparison, as the revenues and disbursements of that department have heretofore been kept by themselves, and not reckoned with those of the government. Nor was the debt of the District of Columbia, one million and a half (assumed), or the two per cent. land fund and land distribution appropriations, falling in this account, properly chargeable to that administration—all of which deducted, would reduce the appropriations for 1842 to less than sixteen millions.

The appropriations for the six months, between January 1, and June 30, 1843, were $8,166,418 00; and for the fiscal year, ending June 30, 1844, they were $16,332,837 00.

Compare the appropriations of the twenty-seventh Congress with the annual expenditures of Mr. Van Buren's administration, as reported by the treasury department, July 2d, 1841:—

Expenditure of	1837	$37,265,037 15
"	1838	39,455,438 35
"	1839	37,614,936 15
"	1840	27,249,909 51
Total		$140,585,321 16

The annual average of the expenditure of Mr. Van Buren's administration would be.....$35,146,330 29

Compare this average with the appropriations of the twenty-seventh Congress for the year ending June 30, 1844, viz.: $16,332,837, which is less, by $1,240.328 14, than half the annual average of the expenses of Mr. Van Buren's adminis-

were enormous. The abuses that had crept into the army, augmenting expenditures, were flagrant and startling. They were boldly taken in hand, and provided against for the future.

There was the board of navy commissioners in their easy chairs at Washington, disappointing the aim of their functions, and wasting money in vast sums by their decisions. It was abolished; and the whole navy department was reorganized by an act of Congress, introducing a new system of economy and efficiency, as well in the machinery of the department itself, as in the various branches of the naval service—thereby retrenching from one to two millions in the general service.

An act was passed amending the organization of the civil departments, suppressing the system of contingent and general appropriations; cutting off the power of pensioning a partisan press, by ordering the public printing to be done on contract with fair dealers, in open market; ordering purchases and other government jobbings, on the same principle; reducing and limiting allowances of various kinds.

The vast peculations and frauds in the Indian department, land offices, and customhouses, were hunted out and reformed—nothing more needed. The contingent expenses of Congress were cut down to an honest level, and former abuses corrected. All branches of the public service were thoroughly overhauled, examined, retrenched, and reformed, so far as legislation could do. If

tration; or less by $18,813,493 29, than the entire average; or less by $23,122,601 35 than the highest annual expenditure of Mr. Van Buren.

Mr. Van Buren came into power with six millions of dollars in the treasury; he took for the uses of government the eight millions of United States bank stock that was owned by the government; he also took the fourth instalment due to the states by the deposite act of 1836, which was nine millions; the treasury-notes outstanding on the 4th of March, 1841, when he retired to give place to General Harrison, were somewhat over six millions and a half; the whole amounting to about thirty millions, which is the amount he expended, during his four years, in excess of the revenues of the government.

In addition to this, the outstanding appropriations on the 4th of March, 1841, were about twenty-nine millions. These, of course, were so many liabilities of the treasury, and consequently so much additional burden or debt on the incoming administration—swelling the whole account to nearly sixty millions, in excess of the revenues of the period of his administration. It is fair, however, to credit Mr. Van Buren the nine millions of outstanding appropriations that were imposed upon him, when he came into power, March 4, 1837. The result is, that the expenditures of Mr. Van Buren's administration, including his appropriations thrown upon the succeeding one, were about fifty millions in excess of the revenues of his term of office.

Further than this, the conditions of the compromise act of 1833 were about to strike off some five millions of revenue in 1841, and a like amount in 1842. Yet the government, in full view of the excessive expenditures of the past, and of this diminishing revenue for the future, had made no provision for this extraordinary and overwhelming state of things, brought about by its own profligacy and improvidence.

the executive, in consequence of his apostacy, did not fulfil his obligations, it was no fault of the twenty-seventh Congress. They were faithful to the public vows of 1840.

Mr. Clay was accused of being "a dictator" in that Congress. That he had some influence there is quite probable; it will hardly be denied that he was entitled to it; and so long as he used it, in conjunction with his fellow-laborers of that body, in bringing down the annual expenditures of government ten millions or more, it will not be brought in charge against him as a crime. His project of reform, which he submitted on the 1st of March, 1842, has already been considered. The average annual expenditures of the preceding administration had been upward of thirty-five millions; he proposed to reduce them to twenty-two millions, and showed how it could be done.

Mr. Woodbury, secretary of the treasury, had notified Congress, in his annual report of 1840, that the public revenue thereafter, from existing sources, "would not probably exceed ten or eleven millions of dollars." Thus was the government of the country, already involved in debt, without credit, spending at the rate of thirty-five millions a year, with nearly thirty millions of outstanding appropriations, and a prospective income not exceeding one third of the demand of its prodigal habits, transferred to the new administration of 1841, imposing on the twenty-seventh Congress the task of managing, as best they could, this appalling condition of the public finances. They, in the first place, reduced the expenditures; next, they funded the public debt; they immediately passed the revenue bill of 1841, imposing duties on free articles, which was an essential relief; and they enacted the tariff of 1842, which revived public credit, relieved the treasury, has paid off the public debt, and placed both the government and people of the country in an easy condition, in regard to public and private finances.

CHAPTER XVI.

MR. CLAY'S RESIGNATION AND VALEDICTORY ADDRESS.

"WASHINGTON, SENATE CHAMBER,
"*February* 16, 1842.

"*To the honorable, the General Assembly of Kentucky:*—

"When I last had the honor of an appointment as one of the United States senators from Kentucky, I intimated, in my letter of acceptance, the probability of my not serving out the whole term of six years. In consequence of there having been two extra sessions of Congress, I have already attended, since that appointment, as many sessions of Congress as ordinarily happen during a senatorial term, without estimating my services at the present session.

"I have for several years desired to retire to private life, but have been hitherto prevented from executing my wish from considerations of public duty. I should have resigned my seat in the senate at the commencement of the present session, but for several reasons, one of which was, that the general assembly did not meet until near a month after Congress, during which time the state would not have been fully represented, or my successor would have had only the uncertain title of an executive appointment.

"The time has now arrived, when I think that, without any just reproach, I may quit the public service, and bestow some attention on my private affairs, which have suffered much by the occupation of the largest portion of my life in the public councils. If the Roman veteran had title to discharge after thirty years' service, I, who have served a much longer period, may justly claim mine.

"I beg leave, therefore, to tender to the general assembly, and do now hereby tender, my resignation of the office which I hold, of senator in the senate of the United States, from the state of Kentucky, to take effect on the 31st of March, 1842; and I request that the general assembly will appoint my successor to take his seat on that day. I have fixed that day to allow me an opportunity of assisting in the completion of some measures, which have been originated by me.

"I embrace this opportunity to offer to the general assembly my most profound and grateful acknowledgments for the numerous and

distinguished proofs, by which I have been honored, of its warm attachment and generous confidence during a long series of years.

"I have the honor to be, &c.,

"H. CLAY."

Simple and unimpassioned as is the character of this document, it can not for that reason easily repress the thoughts and emotions which the occasion naturally awakens. It was now thirty-six years since Mr. Clay first took his seat in the senate of the United States, nor was that the beginning of his public life. From 1806 to 1842, with only two short intervals—one to repair his private fortune by professional labors, and the other for a little repose after his four years' labors as secretary of state—he had been uninterruptedly engaged in the service of his country, in connexion with the general government, first as United States senator; next, as speaker of the house of representatives, in all about thirteen years; as one of the commissioners at Ghent in 1814, to negotiate peace with Great Britain, returning to reoccupy the speaker's chair in Congress, which was resigned in 1825 to take charge of the state department; and last, as United States senator again, from 1831 to 1842. His assiduous, untiring, laborious, and eminently influential services in these various positions, have been considered in these volumes. The document above recorded severed this long-protracted connexion with the public, and opened the door to his retirement. It was his leave-taking, as a public officer, with his adopted commonwealth; and it remains only to notice his farewell to the senate of the nation, of which the following are extracts:—

"And now [said Mr. Clay], allow me to announce, formally and officially, my retirement from the senate of the United States, and to present the last motion I shall ever make in this body. But, before I make that motion, I trust I shall be pardoned, if I avail myself, with the permission and indulgence of the senate, of this last occasion of addressing to it a few more observations.

"I entered the senate of the United States in December, 1806. I regarded that body then, and still consider it, as one which may compare, without disadvantage, with any legislative assembly, either in ancient or modern times, whether I look to its dignity, the extent and importance of its powers, the ability by which its individual members have been distinguished, or its organic constitution. If compared in any of these respects with the senates either of France or of England, that of the United States will sustain no derogation.

* * * * * * * *

"Full of attraction, however, as a seat in the senate is, sufficient as it is to satisfy the aspirations of the most ambitious heart. I have

long determined to relinquish it, and to seek that repose which can be enjoyed only in the shades of private life, in the circle of one's own family, and in the tranquil enjoyments included in one enchanting word—HOME.

"It was my purpose to terminate my connexion with this body in November, 1840, after the memorable and glorious political struggle which distinguished that year; but I learned, soon after, what indeed I had for some time anticipated from the result of my own reflections, that an extra session of Congress would be called; and I felt desirous to co-operate with my political and personal friends in restoring, if it could be effected, the prosperity of the country, by the best measures which their united counsels might be able to devise; and I therefore attended the extra session. It was called, as all know, by the lamented Harrison; but his death, and the consequent accession of his successor, produced an entirely new aspect of public affairs. Had he lived, I have not one particle of doubt that every important measure to which the country had looked with so confident an expectation would have been consummated, by the co-operation of the executive with the legislative branch of the government. And here allow me to say, only, in regard to that so-much-reproached extra session of Congress, that I believe, if any of those, who, through the influence of party spirit, or the bias of political prejudice, have loudly censured the measures then adopted, would look at them in a spirit of candor and of justice, their conclusion, and that of the country generally, would be, that if there exist any just ground of complaint, it is to be found not in what was done, but in what was not done, but left unfinished.

"Had President Harrison lived, and the measures devised at that session been fully carried out, it was my intention then to have resigned my seat. But the hope (I feared it might prove vain) that, at the regular session, the measures which we had left undone might even then be perfected, or the same object attained in an equivalent form, induced me to postpone the determination; and events which arose after the extra session, resulting from the failure of those measures which had been proposed at that session, and which seemed for the moment to subject our political friends to the semblance of defeat, confirmed me in the resolution to attend the present session also, and whether in prosperity or adversity, to share the fortune of my friends. But I resolved, at the same time, to retire as soon as I could do so with propriety and decency.

"From 1806, the period of my entrance upon this noble theatre, with short intervals, to the present time, I have been engaged in the public councils, at home or abroad. Of the services rendered during that long and arduous period of my life it does not become me to speak; history, if she deign to notice me, and posterity, if the recollection of my humble actions shall be transmitted to pos-

terity, are the best, the truest, and the most impartial judges. When death shall have closed the scene, their sentence will be pronounced, and to that I commit myself. My public conduct is a fair subject for the criticism and judgment of my fellow-men; but the motives by which I have been prompted are known only to the great Searcher of the human heart and to myself; and I trust I may be pardoned for repeating a declaration made some thirteen years ago, that, whatever errors, and doubtless there have been many, may be discovered in a review of my public service, I can with unshaken confidence appeal to that Divine Arbiter for the truth of the declaration, that I have been influenced by no impure purpose, no personal motive; have sought no personal aggrandizement; but that, in all my public acts, I have had a single eye directed, and a warm and devoted heart dedicated, to what, in my best judgment, I believed the true interests, the honor, the union, and the happiness of my country required.

"During that long period, however, I have not escaped the fate of other public men, nor failed to incur censure and detraction of the bitterest, most unrelenting, and most malignant character; and though not always insensible to the pain it was meant to inflict, I have borne it in general with composure, and without disturbance here [pointing to his breast], waiting as I have done, in perfect and undoubting confidence, for the ultimate triumph of justice and of truth, and in the entire persuasion that time would settle all things as they should be, and that whatever wrong or injustice I might experience at the hands of man, He, to whom all hearts are open and fully known, would, by the inscrutable dispensations of his providence, rectify all error, redress all wrong, and cause ample justice to be done.

"But I have not meanwhile been unsustained. Everywhere throughout the extent of this great continent I have had cordial, warm-hearted, faithful, and devoted friends, who have known me, loved me, and appreciated my motives. To them, if language were capable of fully expressing my acknowledgments, I would now offer all the return I have the power to make for their genuine, disinterested, and persevering fidelity and devoted attachment, the feelings and sentiments of a heart overflowing with never-ceasing gratitude. If, however, I fail in suitable language to express my gratitude to *them* for all the kindness they have shown me, what shall I say, what *can* I say at all commensurate with those feelings of gratitude with which I have been inspired by the state whose humble representative and servant I have been in this chamber? [Here Mr. Clay's feelings overpowered him, and he proceeded with deep sensibility and difficult utterance.]

"I emigrated from Virginia to the state of Kentucky now nearly forty-five years ago; I went as an orphan boy who had not yet attained the age of majority—who had never recognised a

father's smile, nor felt his warm caresses—poor, pennyless, without the favor of the great—with an imperfect and neglected education, hardly sufficient for the ordinary business and common pursuits of life; but scarce had I set my foot upon her generous soil when I was embraced with parental fondness, caressed as though I had been a favorite child, and patronised with liberal and unbounded munificence. From that period the highest honors of the state have been freely bestowed upon me; and when, in the darkest hour of calumny and detraction, I seemed to be assailed by all the rest of the world, she interposed her broad and impenetrable shield, repelled the poisoned shafts that were aimed for my destruction, and vindicated my good name from every malignant and unfounded aspersion. I return with indescribable pleasure to linger a while longer, and mingle with the warm-hearted and whole-souled people of that state; and, when the last scene shall for ever close upon me, I hope that my earthly remains will be laid under her green sod with those of her gallant and patriotic sons.

"But the ingenuity of my assailants is never exhausted. It seems I have subjected myself to a new epithet, which I do not know whether to take in honor or derogation—I am held up to the country as a 'dictator.' A dictator! The idea of a dictatorship is drawn from Roman institutions; and at the time the office was created, the person who wielded the tremendous weight of authority it conferred, concentrated in his own person an absolute power over the lives and property of all his fellow-citizens; he could levy armies; he could build and man navies; he could raise any amount of revenue he might choose to demand; and life and death rested on his fiat. If I were a dictator, as I am said to be, where is the power with which I am clothed? Have I any army? any navy? any revenue? any patronage? in a word, any power whatever? If I had been a dictator, I think that even those who have the most freely applied to me the appellation must be compelled to make two admissions: first, that my dictatorship has been distinguished by no cruel executions, stained by no blood, sullied by no act of dishonor; and I think they must also own (though I do not exactly know what date my commission of dictator bears—I suppose, however, it must have commenced with the extra session), that if I did usurp the power of a dictator, I at least voluntarily surrendered it within a shorter period than was allotted for the duration of the dictatorship of the Roman commonwealth.

"If to have sought at the extra session and at the present, by the coöperation of my friends, to carry out the great measures intended by the popular majority of 1840, and to have earnestly wished that they should all have been adopted and executed; if to have ardently desired to see a disordered currency regulated and restored, and irregular exchanges equallized and adjusted; if to have labored to replenish the empty coffers of the treasury by suitable

duties; if to have endeavored to extend relief to the unfortunate bankrupts of the country, who had been ruined in a great measure by the erroneous policy, as we believed, of this government; to limit, circumscribe, and reduce executive authority; to retrench unnecessary expenditure and abolish useless offices and institu tions, and to preserve the public honor untarnished by supplying a revenue adequate to meet the national engagements and incidental protection to the national industry; if to have entertained an anxious solicitude to redeem every pledge, and execute every promise fairly made by my political friends, with a view to the acquisition of power from the hands of an honest and confiding people; if these constitute a man a DICTATOR, why, then, I must be content to bear, although I still ought only to share with my friends, the odium or the honor of the epithet, as it may be considered on the one hand or the other.

"That my nature is warm, my temper ardent, my disposition, especially in relation to the public service, enthusiastic, I am ready to own; and those who suppose that I have been assuming the dictatorship, have only mistaken for arrogance or assumption that ardor and devotion which are natural to my constitution, and which I may have displayed with too little regard to cold, calculating, and cautious prudence, in sustaining and zealously supporting important national measures of policy which I have presented and espoused.

"In the course of a long and arduous public service, especially during the last eleven years in which I have held a seat in the senate, from the same ardor and enthusiasm of character, I have no doubt, in the heat of debate, and in an honest endeavor to maintain my opinions against adverse opinions alike honestly entertained, as to the best course to be adopted for the public welfare, I may have often inadvertently and unintentionally, in moments of excited debate, made use of language that has been offensive, and susceptible of injurious interpretation toward my brother senators. If there be any here who retain wounded feelings of injury or dissatisfaction produced on such occasions, I beg to assure them that I now offer the most ample apology for any departure on my part from the established rules of parliamentary decorum and courtesy. On the other hand, I assure senators, one and all, without exception and without reserve, that I retire from this chamber without carrying with me a single feeling of resentment or dissatisfaction to the senate or any one of its members.

"I go from this place under the hope that we shall, mutually, consign to perpetual oblivion whatever personal collisions may at any time unfortunately have occurred between us; and that our recollections shall dwell in future only on those conflicts of mind with mind, those intellectual struggles, those noble exhibitions of the powers of logic, argument, and eloquence, honorable to the

senate and to the nation, in which each has sought and contended for what he deemed the best mode of accomplishing one common object, the interest and the most happiness of our beloved country. To these thrilling and delightful scenes it will be my pleasure and my pride to look back in my retirement with unmeasured satisfaction.

"And now, Mr. President, allow me to make the motion which it was my object to submit when I rose to address you. I present the credentials of my friend and successor [Hon. J. J. Crittenden]. If any void has been created by my withdrawal from the senate, it will be amply filled by him, whose urbanity, whose gallant and gentlemanly bearing, whose steady adherence to principle, and whose rare and accomplished powers in debate, are known to the senate and to the country. I move that his credentials be received, and that the oath of office be now administered to him.

"In retiring, as I am about to do, for ever, from the senate, suffer me to express my heartfelt wishes that all the great and patriotic objects of the wise framers of our constitution may be fulfilled; that the high destiny designed for it may be fully answered; and that its deliberations, now and hereafter, may eventuate in securing the prosperity of our beloved country, in maintaining its rights and honor abroad, and upholding its interests at home. I retire, I know, at a period of infinite distress and embarrassment. I wish I could take my leave of you under more favorable auspices; but, without meaning at this time to say whether on any or on whom reproaches for the sad condition of the country should fall, I appeal to the senate and to the world to bear testimony to my earnest and continued exertions to avert it, and to the truth that no blame can justly attach to me.

"May the most precious blessings of Heaven rest upon the whole senate and each member of it, and may the labors of every one redound to the benefit of the nation and the advancement of his own fame and renown. And when you shall retire to the bosom of your constituents, may you receive that most cheering and gratifying of all human rewards—their cordial greeting of 'Well done, good and faithful servant.'

"And now, Mr. President, and senators, I bid you all a long, a lasting, and a friendly farewell."

Mr. Crittenden was duly qualified, and took his seat. Mr. Preston then rose and said, that "what had just taken place was an epoch in their legislative history, and, from the feeling which was evinced, he plainly saw that there was little disposition to attend to business; he would therefore move that the senate adjourn"—which motion was unanimously agreed to

The feeling manifested on this occasion, both on the floor and in the galleries—all of which, with every door and avenue, as might be expected, were crowded—was such as is rarely witnessed in a like assembly. The opponents of Mr. Clay in the senate, some of whom had been very bitter in their hostility, seemed to be subdued, and to give themselves up to the more generous feelings, most of whom were seen crossing the floor after the senate had adjourned, and offering their hands to Mr. Clay. All were interested in observing this act, on the part of Mr. Calhoun, and touched in noticing, that both he and Mr. Clay were too much affected to make any conversation, and forced to retire without a single word.

Thus ended the congressional career of an American statesman, whose fame has filled the world, whose influence has not only pervaded the republic whose interests he so long labored to promote, and whose honor before the world he strived to maintain; but other nations have felt the power of his name—the strong to respect him, and the weak and oppressed to be inspired with hope and courage by his advocacy of freedom and the rights of man. "I have no commiseration for princes; but my sympathies are reserved for the great mass of mankind." This appears to have been the maxim of his public life. His own country, and the people of that country, were first in his affections; but a heart made for "the great masses of mankind," could not be limited to this narrow sphere. It has been seen how long, and with what ultimate triumph, he pleaded the cause of the suffering millions of South America; how Greece, in her agony, held not out her imploring arms to the west, without an advocate; and how long and faithfully he has served the toiling millions of his own country. "The masses" of the American people will yet appreciate his labors in their behalf, if happily, that system of protection to American industry—which, from the beginning to the end of his public career, disregarding his own advantage, he has, so earnestly, so unflinchingly, so perseveringly, so effectively, advocated, under trials sufficient to discourage any heart less stout than his—shall finally triumph.

CHAPTER XVII.

MR. CLAY IN RETIREMENT.

The Barbecue at Lexington in Honor of Mr. Clay.—The Sentiment addressed to him.—His Speech on the Occasion.—Personal Matters.—Public Affairs.—The Hoary Statesman in Private Life.

After Mr. Clay had retired to private life, in the spring of 1842, his fellow-citizens of Kentucky proposed to do him the honor of a public entertainment, and on the 9th of June the greatest assemblage of ladies and gentlemen, ever known in that commonwealth, from all its parts, with a sprinkling from other states, was convened at Lexington, at an unpretending festival, commonly called, in that quarter, a barbecue.

Judge Robertson, late chief-justice of the state, presided, and opened the *intellectual* treat with a pertinent and eloquent address, which was concluded with the following sentiment in honor of their illustrious neighbor and fellow-citizen:—

"Henry Clay—*farmer of Ashland, patriot and philanthropist—the* American *statesman, and unrivalled orator of the age*—illustrious abroad, beloved at home: in a long career of eminent public service, often, like *Aristides*, he breasted the raging storm of passion and delusion, and by offering himself a sacrifice, saved the republic; and now, like *Cincinnatus* and *Washington*, having voluntarily retired to the tranquil walks of private life, the grateful hearts of his countrymen will do him ample justice; but come what may, *Kentucky will stand by him*, and still continue to cherish and defend, as her own, the fame of a son who has emblazoned her escutcheon with immortal renown."

It is not surprising, that some feeling should have been manifested, as well by the assembly, as by Mr. Clay himself, after the reading of this paper. There was a momentary pause, and an intense expectation, after which, Mr. Clay rose and said:—

"Mr. President, ladies, and gentlemen: It was given to our countryman, Franklin, to bring down the lightning from heaven. To enable me to be heard by this immense multitude,

I should have to invoke to my aid, and to throw into my voice, its loudest thunders. As I can not do that, I hope I shall be excused for such a use of my lungs as is practicable, and not inconsistent with the preservation of my health. And I feel that it is our first duty to express our obligations to a kind and bountiful Providence, for the copious and genial showers with which he has just blessed our land—a refreshment of which it stood much in need. For one, I offer to him my humble and dutiful thanks. The inconvenience to us, on this festive occasion, is very slight, while the sum of good which those timely rains will produce, is very great and encouraging."

After indulging in some humor adapted to the occasion, and modestly ascribing the honor done him to the partial kindness of his friends and fellow-citizens, Mr. Clay proceeds to say:—

"I seize the opportunity to present my heartfelt thanks to the whole people of Kentucky, for all the high honors and distinguished favors which I have received, during a long residence with them, at their hands; for the liberal patronage which I received from them in my professional pursuit; for the eminent places in which they have put me, or enabled me to reach; for the generous and unbounded confidence which they have bestowed upon me, at all times; for the gallant and unswerving fidelity and attachment with which they stood by me, throughout all the trials and vicissitudes of an eventful and arduous life; and above all, for the scornful indignation with which they repelled an infamous calumny directed against my name and fame, at a momentous period of my public career. In recalling to our memory but the circumstances of that period, one can not but be filled with astonishment at the indefatigability with which the calumny was propagated, and the zealous partisan use to which it was applied, not only without evidence, but in the face of a full and complete refutation. Under whatever deception, delusion, or ignorance, it was received elsewhere, with you, my friends and neighbors, and with the good people of Kentucky, it received no countenance; but in proportion to the venom and the malevolence of its circulation, were the vigor and magnanimity with which I was generally supported. Upheld with the consciousness of the injustice of the charge, I should have borne myself with becoming fortitude, if I had been abandoned by you as I was by so large a portion of my countrymen. But to have been sustained and vindicated as I was, by the people of my own state, by you who know me best, and whom I had so many reasons to love and esteem, greatly cheered and encouraged me, in my onward progress. Eternal thanks and gratitude are due from me.

"I thank you, friends and fellow-citizens, for your distinguished and enthusiastic reception of me this day; and for the excellence

and abundance of the barbecue that has been provided for our entertainment. And I thank, from the bottom of my heart, my fair countrywomen, for honoring, and gracing, and adding brilliancy to this occasion, by their numerous attendance. If the delicacy and refinement of their sex will not allow them to mix in the rougher scenes of human life, we may be sure that whenever, by their presence, their smiles and approbation are bestowed, it is no ordinary occurrence. That presence is always an absolute guaranty of order, decorum, and respect. I take the greatest pleasure in bearing testimony to their value and their virtue. I have ever found in them true and steadfast friends, generously sympathizing in distress, and by their courageous fortitude in bearing it themselves, encouraging us to imitate their example. And we all know and remember how, as in 1840, they can powerfully aid a great and good cause, without any departure from the propriety or dignity of their sex."

The early history of Mr. Clay, given in another part of this work, was here alluded to by himself. He then proceeds:—

"In 1803 or '4, when I was absent from the county of Fayette, at the Olympian springs, without my knowledge or previous consent, I was brought forward as a candidate, and elected to the general assembly of this state. I served in that body several years, and was then transferred to the senate, and afterward to the house of representatives of the United States. I will not dwell on the subsequent events of my political life, or enumerate the offices which I have filled. During my public career, I have had bitter, implacable, reckless enemies. But if I have been the object of misrepresentation and unmerited calumny, no man has been beloved or honored by more devoted, faithful, and enthusiastic friends. I have no reproaches, none, to make toward my country, which has distinguished and elevated me far beyond what I had any right to expect. I forgive my enemies, and hope they may live to obtain the forgiveness of their own hearts.

"It would neither be fitting, nor is it my purpose, to pass judgment on all the acts of my public life; but I hope I shall be excused for one or two observations, which the occasion appears to me to authorize.

"I never but once changed my opinion on any great measure of national policy, or on any great principle of construction of the national constitution. In early life, on deliberate consideration, I adopted the principles of interpreting the federal constitution, which had been so ably developed and enforced by Mr. Madison, in his memorable report to the Virginia legislature, and to them, as I understood them, I have constantly adhered. Upon the question coming up in the senate of the United States to recharter the first bank of the United States, thirty years ago, I opposed the recharter,

upon convictions which I honestly entertained. The experience of the war, which shortly followed, the condition into which the currency of the country was thrown, without a bank, and, I may now add, later and more disastrous experience, convinced me I was wrong. I publicly stated to my constituents, in a speech in Lexington (that which I made in the house of representatives of the United States not having been reported), my reasons for that change, and they are preserved in the archives of the country. I appeal to that record, and I am willing to be judged now and hereafter by their validity."

Mr. Clay is not alone in the sentiment expressed in the following extract. The fact of his accepting the office of secretary of state under Mr. Adams, was not only pointed to by those who brought the charge of "bargain and corruption," as proof of its justice—though most unfairly adduced—but it was so regarded by large masses of unreflecting people, to whom it appeared in that light. They saw but two things—the charge and the fact, and both seemed to agree. They could not, or would not, perceive, that Mr. Clay was entitled to that place; that to him, it was not promotion, nor covetable as conferring additional honor; nor could they appreciate the fact, that the whole west expected and demanded that Mr. Clay should take it. It was forced upon him—not desired. They who *fabricated* the charge, did it in expectation of the advantage of the *fact*, foreseeing what would be its influence. They knew that all whom they wished to say it, *would say, that the fact proves the charge;* and so it turned out. Mr. Clay, in accepting the office of secretary of state, was probably actuated by two sentiments, alike honorable and characteristic: first, that he would not be driven from duty, for fear of the effects of a calumny so false and foul; and next, judging others by himself, he did not believe such a fabrication could be extensively entertained. It seems, however, from what follows, that he was forced to abate somewhat of his confidence in the fairness and magnanimity of mankind:—

"I will take this occasion now to say, that I am, and have been long satisfied, that it would have been wiser and more politic in me, to have declined accepting the office of secretary of state in 1825. Not that my motives were not as pure and as patriotic as ever carried any man into public office. Not that the calumny which was applied to the fact was not as gross and as unfounded as any that was ever propagated. [Here somebody cried out that Mr. Carter Beverley, who had been made the organ of announcing it, had recently borne testimony to its being unfounded.] Mr. Clay

said it was true that he had voluntarily borne such testimony. But, with great earnestness and emphasis, Mr. Clay said, I want no testimony—here, here, HERE [repeatedly touching his heart, amid tremendous cheers], HERE is the best of all witnesses of my innocence. Not that valued friends and highly-esteemed opponents did not unite in urging my acceptance of the office. Not that the administration of Mr. Adams will not, I sincerely believe, advantageously compare with any of his predecessors in economy, purity, prudence, and wisdom. Not that Mr. Adams was himself wanting in any of those high qualifications and upright and patriotic intentions which were suited to the office. Of that extraordinary man, of rare and varied attainments, whatever diversity of opinion may exist as to his recent course in the house of representatives (and candor obliges me to say that there are some things in it which I deeply regret), it is with no less truth than pleasure, I declare that, during the whole period of his administration, annoyed, assailed, and assaulted as it was, no man could have shown a more devoted attachment to the Union, and all its great interests, a more ardent desire faithfully to discharge his whole duty, or brought to his aid more useful experience and knowledge, than he did. I never transacted business with any man, in my life, with more ease, satisfaction, and advantage, than I did with that most able and indefatigable gentleman, as president of the United States. And I will add, that more harmony never prevailed in any cabinet than in his.

"But my error in accepting the office, arose out of my underrating the power of detraction and the force of ignorance, and abiding with too sure a confidence in the conscious integrity and uprightness of my own motives. Of that ignorance, I had a remarkable and laughable example on an occasion which I will relate. I was travelling, in 1828, through I believe it was Spottsylvania county, in Virginia, on my return to Washington, in company with some young friends. We halted at night at a tavern, kept by an aged gentleman, who, I quickly perceived, from the disorder and confusion which reigned, had not the happiness to have a wife. After a hurried and bad supper, the old gentleman sat down by me, and without hearing my name, but understanding that I was from Kentucky, remarked that he had four sons in that state, and that he was very sorry they were divided in politics, two being for Adams, and two for Jackson; he wished they were all for Jackson. 'Why?' I asked him. 'Because,' he said, 'that fellow Clay, and Adams, had cheated Jackson out of the presidency.'—'Have you ever seen any evidence, my old friend,' said I, 'of that?'—'No,' he replied, 'none, and I want to see none.'—'But,' I observed, looking him directly and steadily in the face, 'suppose Mr. Clay were to come here and assure you, upon his honor, that it was all a vile calumny, and not a word of truth in it, would you believe

him?'—'No,' replied the old gentleman, promptly and emphatically. I said to him, in conclusion, 'Will you be good enough to show me to bed?' and bade him good night. The next morning, having in the interval learned my name, he came to me full of apologies; but I at once put him at his ease by assuring him that I did not feel in the slightest degree hurt or offended with him."

This anecdote, certainly, would be very amusing, if it did not relate to so serious a piece of history—if it did not develop that great and potent element of human nature, which was chiefly relied upon in that tremendous conspiracy; and if it did not in this way, compel to the gravest reflections, minds that would otherwise be disposed to merriment.

"Mr. President [said Mr. Clay], I have been accused of ambition, often accused of ambition. If to have served my country during a long series of years with fervent zeal and unshaken fidelity, in seasons of peace and war, at home and abroad, in the legislative halls and in an executive department; if to have labored most sedulously to advert the embarrassment and distress which now overspread this Union, and when they came, to have exerted myself anxiously, at the extra session, and at this, to devise healing remedies; if to have desired to introduce economy and reform in the general administration, curtail enormous executive power, and amply provide, at the same time, for the wants of the government and the wants of the people, by a tariff which would give it revenue and them protection; if to have earnestly sought to establish the bright but too rare example of a party in power faithful to ts promises and pledges made when out of power; if these services, exertions, and endeavors, justify the accusation of ambition, I must plead guilty to the charge.

"I have wished the good opinion of the world; but I defy the most malignant of my enemies to show that I have attempted to gain it by any low or grovelling arts, by any mean or unworthy sacrifices, by the violation of any of the obligations of honor, or by a breach of any of the duties which I owed to my country.

"I turn, sir, from these personal allusions and reminiscences, to the vastly more important subject of the present actual condition of this country. If they could ever be justifiable or excusable, it would be on such an occasion as this, when I am addressing those to whom I am bound by so many intimate and friendly ties.

"In speaking of the present state of the country, it will be necessary for me to touch with freedom and independence upon the past as well as the present, and upon the conduct, spirit, and principles of parties.

"What is our actual condition? It is one of unexampled distress and embarrassment, as universal as it is intense, pervading

the whole community and sparing none; property of all kinds, and everywhere, fallen and falling in value; agricultural produce of every description at the most reduced prices; money unsound and at the same time scarce, and becoming more scarce by preparations of doubtful and uncertain issue, to increase its soundness; all the departments of business inactive and stagnant; exchanges extravagantly high, and constantly fluctuating; credit, public and private, at the lowest ebb, and confidence lost; and a feeling of general discouragement and depression. And what darkens the gloom which hangs over the country, no one can discern any termination of this sad state of things, nor see in the future any glimpses of light or hope. Is not this a faithful, although appalling picture of the United States in 1842?

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"The contrast in the state of the country at the two periods of 1832 and 1842, is most remarkable and startling. What has precipitated us from that great height of enviable prosperity down to the lowest depths of pecuniary embarrassment? What has occasioned the wonderful change? No foreign foe has invaded and desolated the country. We have had neither famine nor earthquakes. That there exists a cause there can be no doubt; and I think it equally clear that the cause, whatever it may be, must be a general one; for nothing but a general cause could have produced such wide-spread ruin; and everywhere we behold the same or similar effects, every interest affected, every section of the Union suffering, all descriptions of produce and property depressed in value. * * * * * * *

"Three facts or events, all happening about the same time, if their immediate effects are duly considered, will afford a clear and satisfactory solution of all the pecuniary evils which now unhappily afflict this country.

"The first was the veto of the recharter of the bank of the United States. The second was the removal of the deposites of the United States from that bank to local banks. And the third was the refusal of the president of the United States, by an arbitrary stretch of power, to sanction the passage of the land bill."

Mr. Clay goes on to establish this position, but as it has been fully considered in this work, it is unnecessary to repeat it here.

After noticing the shock to the commercial habits and interests of the country, occasioned by the removal of the deposites, and the sudden and unnatural inflation of credit, with its consequence of extravagant speculations, occasioned by loaning those deposites, while the loans upon the same basis from the bank of the United States were still out, flooding the country with a circulating medium, more or less unsound, and growing worse, Mr. Clay asks:—

"Who was to blame for this artificial and inflated state of things? Who for the speculation, which was its natural offspring? The policy of government, which produced it, or the people? The seducer or the seduced? The people, who only used the means so abundantly supplied, in virtue of the public authority, or our rulers, whose unwise policy tempted them into the ruinous speculation?"

In regard to the *third* of the chief causes of the public misfortunes, the smothering of the land bill of 1833, Mr. Clay here exhibits a new practical view of the subject, not before fully developed, as follows :—

"Let us here pause and consider what would have been the operation of that most timely and salutary measure, if it had not been arrested. The bill passed in 1833, and in a short time after, the sales of the public lands were made to an unprecedented extent; insomuch, that in one year they amounted to about twenty-five millions of dollars, and in a few years, to an aggregate of about fifty millions of dollars. It was manifest, that if this fund, so rapidly accumulating, remained in the custody of the local banks, in conformity with the treasury circular, and with their interests, it would be made the basis of new loans, new accommodations, fresh bank facilities. It was manifest that the same identical sum of money might, as it in fact did, purchase many tracts of land, by making the circuit from the land offices to the banks, and from the banks to the land offices, besides stimulating speculation in other forms.

"Under the operation of the measure of distribution, that great fund would have been semi-annually returned to the states, and would have been applied, under the direction of their respective legislatures, to various domestic and useful purposes. It would have fallen upon the land, like the rains of heaven, in gentle, genial, and general showers, passing through a thousand rills, and fertilizing and beautifying the country. Instead of being employed in purposes of speculation, it would have been applied to the common benefit of the whole people. Finally, when the fund had accumulated, and was accumulating in an alarming degree, it was distributed among the states by the deposite act, but so suddenly distributed, in such large masses, and in a manner so totally in violation of all the laws and rules of finance, that the crisis of suspension in 1837 was greatly accelerated. This would have been postponed, if not altogether avoided, if the land bill of 1833 had been approved and executed.

"To these three causes, fellow-citizens, the veto of the bank of the United States, with the consequent creation of innumerable local banks, the removal of the deposites of the United States from the bank of the United States, and their subsequent free use, and

the failure of the land bill of 1833, I verily believe, all, or nearly all, of the pecuniary embarrassments of the country are plainly attributable. If the bank had been rechartered, the public deposites suffered to remain undisturbed where the law required them to be made, and the land bill had gone into operation, it is my firm conviction that we should have had no more individual distress and ruin than is common, in ordinary and regular times, to a trading and commercial community.

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"They began with the best currency, promised a better, and end with giving none! For we might as well resort to the costumes of our original parents in the garden of Eden, as, in this enlightened age, with the example of the commercial world before us, to cramp this energetic and enterprising people, by a circulation exclusively of the precious metals. Let us see how the matter stands with us here in Kentucky, and I believe we stand as well as the people do in most of the states. We have a circulation in bank-notes amounting to about two millions and a half, founded upon specie in their vaults amounting to one million and a quarter, half the actual circulation. Have we too much money? [No! no! exclaimed many voices.] If all banks were put down, and all bank paper were annihilated, we should have just one half the money that we now have. I am quite sure that one of the immediate causes of our present difficulties, is a defect in quantity as well as the quality of the circulating medium. And it would be impossible, if we were reduced to such a regimen as is proposed by the hard-money theorists, to avoid stop laws, relief laws, repudiation, bankruptcies, and perhaps civil commotion.

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"Unfortunately [says Mr. Clay], our chief magistrate possesses more powers, in some respects, than a king or queen of England. The crown is never separated from the nation, but is obliged to conform to its will. If the ministry holds opinions adverse to the nation, and is thrown into the minority in the house of commons, the crown is constrained to dismiss the ministry, and appoint one whose opinions coincide with the nation. This Queen Victoria has recently been obliged to do; and not merely to change her ministry, but to dismiss the official attendants upon her person. But here, if the president holds an opinion adverse to that of Congress and the nation upon important public measures, there is no remedy but upon the periodical return of the rights of the ballot-box."

After speaking of the importance of a new and suitable tariff law—that of 1842 was not then enacted—and some other matters, of interest indeed, though perhaps of less importance, Mr. Clay proceeds to notice some distinguishing characteristics of the policy

of the two great parties of the country, comparing each with each, in regard to certain principles and features, as developed in the progress of events, which claim a serious and profound attention, though they can not be offered here. He concludes as follows:—

"Fellow-citizens of all parties! The present situation of our country is one of unexampled distress and difficulty; but there is no occasion for any despondency. A kind and bountiful Providence has never deserted us—punished us he perhaps has, for our neglect of his blessings and our misdeeds. We have a varied and fertile soil, a genial climate and free institutions. Our whole land is covered, in profusion, with the means of subsistence and the comforts of life. Our gallant ship, it is unfortunately true, lies helpless, tossed on a tempestuous sea, amid the conflicting billows of contending parties, without a rudder and without a faithful pilot. But that ship is our country, embodying all our past glory, all our future hopes. Its crew is our whole people, by whatever, political denomination they are known. If she goes down, we all go down together. Let us remember the dying words of the gallant and lamented Lawrence: 'Don't give up the ship.' The glorious banner of our country, with its unstained stars and stripes, still proudly floats at its mast-head. With stout hearts and strong arms we can surmount all our difficulties. Let us all, all, rally round that banner, and firmly resolve to perpetuate our liberties and regain our lost prosperity.

"Whigs! arouse from the ignoble supineness which encompasses you! Awake from the lethargy in which you lie bound! Cast from you that unworthy apathy which seems to make you indifferent to the fate of your country! Arouse! awake! shake off the dew-drops that glitter on your garments, and once more march to battle and to victory! You have been disappointed, deceived, betrayed—*shamefully deceived and betrayed.* But will you, therefore, also prove false and faithless to your country, or obey the impulses of a just and patriotic indignation?"

There stands the hoary statesman of forty years' public service, after his retirement, in the midst of many thousands of his old friends and neighbors, of both sexes and all ages, who are hanging upon his lips, to hear him talk of the past, of the present, and the future; and the great family of his own commonwealth, there represented, are not more interested in what he says, than the twenty or thirty times greater family of the nation. With faculties unimpaired, with eye undimmed, with a zeal for the public welfare undiminished, and with a patriotism unabated, he occupies a new position—is a PRIVATE CITIZEN. But those treasures of wisdom and knowledge, the fruit of a long life of painful study and

toil, are not less affluent than before. The beauty, the moral sublimity of the spectacle, is, that, though discussing these high themes, old men and children, male and female, understand every word he says. Such is the capacity, and such the habit, of a free people. It is not to be forgotten, however, that they were all pupils of this master.

Every position in which Mr. Clay is found, in public or in private, is justly regarded with interest. He has done the state some service. He is everywhere a part of the history of the country, and of his times. His light can not be obscured, till the grave shall have closed upon him. Nay, even the grave can not hide him. While the nation lives a free commonwealth, to rejoice in its privileges and growing prosperity—if happily it may be so—the security of those privileges, and the monuments of that prosperity, will bear down to future ages the name of the man to whom they will owe so much of their value and importance; and if, unfortunately, freedom here is doomed to perish, and the possible boundless wealth and happiness of the nation to be blasted, the counsels of this patriot, contemned, will render him scarcely less illustrious in the ruins of the republic, than in the other alternative

CHAPTER XVIII.

THE PRESIDENTIAL CAMPAIGN OF 1844.

Causes of the Early Movement of 1844.—Baltimore Whig Convention.—Its Enthusiasm and High Hopes.—Nomination by Acclamation.—Mr. Frelinghuysen.—Causes of Defeat.—Party Names.—The Texas Question.—Political Letters of Candidates.—The Whigs a Patriotic Party, but want Discipline.—Mr. Van Buren put off the Course by the Whigs.—Executive Patronage.—Texas Treaty.—Native Americans.—Abolition.—Action of Mr. Clay's Namesake.—Defects of Whig Organizations.—Betting on Elections.—Election Frauds.—Mr. Clay elected by the Legal Vote of the Country.

THE lamentable death of President Harrison within thirty days after his inauguration, and the consequences of the apostacy of the vice-president, John Tyler—of his entire defection from the ranks and principles of the party, by whose favor and misplaced confidence he had gained the eminent post of chief magistrate of the republic, had brought back and concentrated upon Mr. Clay, with great activity and vigor, the affections and respect of the triumphant party of 1840, betrayed and disappointed as they were, by a faithless recreant. The unexampled magnanimity of Mr. Clay, in falling in with and sustaining the decision of the Harrisburg convention of 1839, had an equal influence in elevating himself, and in hallowing the devotion of the people to the nominee. With such a sanction, no man of the party ever indulged toward WILLIAM HENRY HARRISON other than feelings of respect for his character, and of grief for a national bereavement. Mr. Clay was undoubtedly the choice of the party in 1839; the nation was prepared to sustain him, and, but for untoward influences, which, in their results, must have given profound and lasting occasion of remorse to the agents, he would have been the nominee, and of course the successful candidate. But his noble bearing hushed complaint, and consecrated the affections of the party in favor of the lamented Harrison.

The effect of this characteristic course, when the nation was disappointed by the death of General Harrison, and betrayed by

his lieutenant, was such as might have been expected, even if there had been no other occasions in the long and faithful public services of the man. No dissenting voice was ever heard. "JUSTICE TO HENRY CLAY" was the one sentiment of the majority of a great nation, and it was impossible to defer the movement to the customary season of such action. Early in 1842 whole states began to act, and on the 5th of April, North Carolina, which was the first to declare independence of the British crown, took lead as a state in the nomination of Henry Clay for 1844. State after state followed, and the movements of the people in primary assemblies, for the same object, throughout the Union, were innumerable. Every symptom manifested by the existing administration was only from bad to worse, in its violations of faith, and in subverting the designs of the movement of 1840, which raised it to power; and the party, despairing of the present, were forced to hang all their hopes on the future. From a loathsome mass of corruption, which they unfortunately, but innocently, had helped to heap up, they turned with confidence where they had never trusted in vain. As men must hope, and will hope strongly, in proportion as they have need, confidence, not without much reason, augmented with the progress of time and events; and when the national whig convention of May, 1844, met at Baltimore, to nominate candidates for president and vice-president, no assembly of the kind was probably ever animated with more enthusiasm, with greater unanimity, or with brighter expectations. For the first office no balloting was required, for the idea of a dissenting voice would have been shocking; and when the Hon. Mr. Leigh, of Richmond, Virginia, after having been announced for that purpose by the Hon. Ambrose Spencer, president of the convention, rose to read the declaratory resolution, he could not finish it, before the immense assemblage burst forth with an acclaim which could as ill be conceived by one not present, as described by one who was. Men of snow-white heads, mounted the chairs on which they had been seated, to aid the chorus, and waive their hats and kerchiefs, and then sat down to weep, while stouter hearts sustained the long-protracted shout. When it had ceased, the president again called upon Mr. Leigh to read the unfinished resolution, which was again interrupted in the same manner, and with the same result. As all knew what it was, it seemed impossible to get the resolution read. It was, however, finally, though with difficulty, announced. The shouting that followed shook the walls of the edifice, till it began to settle,

and was supposed to be falling, occasioning a panic and rush, in singular contrast with the exultations of the previous moment. No harm, however, was done, and order was soon restored.

The Hon. Theodore Frelinghuysen, of New Jersey, and chancellor of the University of New York, who had been senator of the United States—a man of the purest and most elevated character—received the nomination for the second office. The day after the nomination, a convention of ratification was held, representing all parts of the Union, at which one hundred thousand persons were supposed to be present. The convention dispersed in full confidence of final success.

The belief of the Whig party, and the general conviction of all parties, long before the meeting of this convention, was, that the chances of the result of the pending presidential campaign, were all for the Whig candidate; and when that result finally transpired, the successful party was generally as much disappointed as that of the defeated. It was extensively believed, and not without reason, that, if the result could have been foreseen, it would have been reversed, by a transfer of a sufficient number of votes from James K. Polk to Henry Clay, to accomplish that object. Most of those who voted for Mr. Polk, were not only disappointed, but vast multitudes of them were sincerely sorry, as they expected and desired the success of Mr. Clay.

Some of the more palpable causes of this disappointment—all of which, of course, are in some degree conjectural—are worthy of notice, not simply for the gratification of curiosity, but for practical purposes. Some of them were accidental, and limited in their influence to the occasion;—others are permanent. The most potential and all-pervading element of American society, which operates against the whig party at all times, and which, if not removed, must for ever keep them out of power, is the NAME assumed by their opponents, and so extensively awarded to them. In 1840, "LOG CABIN and HARD CIDER" was the natural and expressive symbol of DEMOCRACY, and the whigs triumphed, because they were taken for, as in truth they are, DEMOCRATS. This word is the THING that governs the American mind, and in the face of the fact, as developed in this work, that Mr. Clay and the whig party have been battling for many years against REGAL power in defence of DEMOCRATIC prerogatives, the NAME prevails over the THING, and IS the thing, so far as regards influence. They who are *called*, are *supposed* to be, DEMOCRATS: and it is

in vain for any party in the United States to strive to rise, that allows this name to their opponents. Other and accidental causes doubtless operated against the whig party in 1844, but none to be compared with this; nor all together in any amount to equal even a small fraction of this. This NAME is the controlling power of American political society. But for this, the whig party, with all the advantage of true democratic principles, and with the most popular measures on their side, could not have fallen off from their immense majority of 1840, to be defeated in 1844, by accidental and transient causes, although such causes, to a considerable amount, did undoubtedly operate. They who say names are nothing, err. In politics, it is a fatal mistake. The converse of this proposition is the truth: NAMES ARE EVERYTHING. Nor is it a libel on the common mind to say so. To expect that the people generally will understand the structure of government so nicely, as to see when the democratic or regal power prevails in the relative and practical operation of its parts, or discern the exact balances of power, in its different branches, is unreasonable. Few but statesmen understand it. The people of the United States have been contented, for many years, under the sway of regal power, because they thought they were living under a democracy. They took the name for the thing, and they will always believe in the name, whether they have the thing or not. It is of no use to fight against a party that is called DEMOCRATIC. Henry Clay is the greatest democrat, and one of the oldest, in the United States, and had been fighting the battles of democracy against regal power for sixteen years, and yet the party which supported this regal power, being *called* democratic, was opposed to him, and defeated him! If the whigs will continue, as extensively as they have done, to yield and apply the name of DEMOCRATS to their opponents, they must make up their minds to the consequences. They have to thank themselves more than all other causes for the stupendous results of this suicidal practice. It is nore than fifty per cent. of the political capital of their opponents, and there is not a man in the whig party that does not know it, and who, in a rational mood, will not confess it. But they say: "We will not give up principle to names." Nobody has proposed it. And they fight on against the tide, never to prosper—always to be beaten. The simple fact is, that the masses, being honest, take for granted, that they who are *called* democrats, *are* democrats. The question is, how shall PRINCIPLE be made to prevail?

Only by consulting the *principles of human nature*. What, to deceive? Certainly not. But to undeceive—to give to each party a party designation—democracy is not such—and then show where true democracy, in opposition to monarchy, to regal power, lies. The people of the United States are democrats, and it is to be hoped always will be. Did they not declare and achieve independence, to be rid of regal power? And yet, under the name of democracy, they have been living sixteen years under a more absolute regal sway, than that which they rebelled against in 1776, and after a struggle of seven years, put down. The sole cause is a WORD—ONE WORD—and it is vain to fight against it. The remedy is suggested: LET THINGS HAVE THEIR RIGHT NAMES. Not that the whigs should change theirs—for it is a glorious name, though originally bestowed in reproach—but that they should not help to deceive mankind and insure their own perpetual defeat, by conferring a name on their opponents, to which they are not entitled.

The accidental and transient causes, though of much less consequence, are worthy of notice. The permanent one, above considered, having nearly annihilated the majority of 1840, these other influences, small comparatively as they were, were magnified into vast importance, by the position which they occupied in controlling the result.

It can not be denied, that the annexation of Texas had its influence in determining the presidential election of 1844. There was more popular feeling for it, than against it. Whether the act of annexation will continue to increase in favor, is a problem, on the result of which the author of these pages has no ambition to set up as a prophet. It is his province to record facts, and to develop their agency.

As the practice of writing letters for publication, on great public questions, has heretofore prevailed with candidates for public office, and been required of them, it is rather a subject of consideration, than of animadversion. There are some two or three principles which ought to be respected in the regulation of this practice: the first and most important one, is, to suppress the practice altogether by common consent. If a man is worthy to be a candidate for office, he is worthy of some confidence; and though he may be able to say how he would act on a given question, in given circumstances, no man can tell how he ought to act on the same question, in a change of circumstances, which can not

be foreseen. On most public questions circumstances are constantly changing, which creates the necessity of what is technically called POLICY, in government. It is therefore not only likely to be useless, but may be injurious, for a statesman, even of the most upright principles, to be obliged to commit himself on public questions to every one that may choose to interrogate him. It is more frequently impertinence, or vicious design, that seeks, for electioneering purposes, to draw out a candidate of known and approved principles and character, on some local or entangling questions; and for that reason it ought to be rebuked. There is no just claim on the candidate of a whole party, that he should be obliged to submit to interrogation for local or private objects; nor will it probably be allowed, that a candidate has a just right to commit his party unexpectedly, and without their consent, so as to embarrass their operations, and perhaps cause the loss of all their labors. It will probably be found, that no candidate ever wrote a political letter for publication, *as a candidate*, that was of any benefit to his party. Why, then, should the practice be tolerated? All will agree, that the *principles* of a candidate should be known, and that he should always be open to question upon them, by whomsoever, and from whatever quarter; but the precise *mode* of applying those principles on any particular or new question, the circumstances of which may be changed before he will be required thus to apply them, is quite another matter, and ought to be left to his discretion, if he is worthy of confidence; and if not worthy, he ought not to be a candidate. Letters of this description are always perverted, and rarely, if ever, accomplish the end of the writer. They more often do him and his friends great harm.

MANY ISSUES, AND LOCAL ISSUES, in a national political campaign, are enough to defeat any party. The first object should be, to reduce the issues to the smallest number possible. Not one should be proposed, that will not receive the unanimous sanction of the party, throughout the length and breadth of the land. Next to this, in importance, and not less indispensable, is the support of a *discipline* in the press and leaders of the party, not to meddle with other issues than those unanimously agreed upon throughout the Union. Local and state issues are for local and state elections; but if insisted on in a national campaign, may ruin a good cause. It may be added, that a new issue is extremely hazardous.

Mr. Van Buren was the destined candidate of his party in 1844;

and it was as easy to calculate his strength in opposition to Mr. Clay, as for a schoolboy to do the simplest task in vulgar arithmetic. But the whig press, instead of reserving its fire, to show its valor, shot him down, before he came into the field; and the opposite party, seeing he was killed, brought another man upon the course, and thus took the whigs by surprise, and beat them. The nomination of Mr. Polk presented a new problem, the elements of which were all in his favor: he was a *novus homo*—a new man—to be carried on the shoulders of the party, without any time to discuss his merits. It is said, that Mr. Van Buren's Texas letter killed him. Doubtless it helped to finish the business, and was a good apology for throwing him aside, as the whigs had proved he could not be elected. It was the true policy of the whigs to let Mr. Van Buren alone, and allow their opponents to have their own way, till he was nominated, rather than to destroy their hopes.

It will not be doubted, that the executive power and patronage had considerable influence in the result of the presidential campaign of 1844. The jealousy, the malice, the revenge of the acting president, after having provoked a just resentment toward himself for his perfidy to the party that raised him to power, were sufficient to induce him to employ all his official influence, and all his immense patronage, to disappoint those whom he had injured; and he made no concealment, that such were his aims and efforts. This prostitution of the highest and most influential station in the republic, was accompanied with the singular openness, that it was AVOWED! For nearly the whole of Mr. Tyler's term of office, he directed his efforts to secure his own nomination and election; he was nominated by a convention of office-holders; and when he found out, that he had not the slightest chance of getting a single electoral vote in the whole Union, and that all the world were laughing at the farce of his official drama, itself a farce, he sold himself for the last time to Mr. Polk and his party, and threw all his influence—official, of course, for he had no other—into that scale. His great card was the Texas treaty, which, though rejected and trampled under foot in all quarters, was nevertheless good capital for the party into whose hands he resigned the benefit and availed them essentially—was perhaps the means, without which, they could not have come to power; and if so, it was the means of defeating the opposite party. Despised as Mr. Tyler was, his station gave him power and influence, all of which, from

beginning to end, was used to defeat the election of Mr. Clay. It was at least something in the scale.

The Native American movement, organized in 1843, operated, in all its bearings, and with no small effect, to the prejudice of the whig cause. The riots of Philadelphia were ascribed to the "natives;" the "natives" were alleged to be allied to the whigs; and in that way, all the odium that fell upon the former among persons of foreign birth, attached to the latter, and drove from the whig ranks tens or scores of thousands of adopted citizens. Advantage was taken of the prejudices existing between the protestant and Roman catholic religions, which, in the passions of the moment, also operated against the whigs, in consequence of their alleged sympathy with the "natives," and was brought to bear on the whig candidate for the vice-presidency, on account of his intimate connexion and high standing with the protestants.

The abolition or third-party vote amounted, in 1844, to between sixty and seventy thousand, most of whom, it is generally supposed, originally belonged to the whig ranks, and but for the existence of this party, would have voted with the whigs. Another, not unimportant, and new element of political abolition, started up in the person of a Kentucky whig, of the same family name, and a remote connexion of the whig candidate for the presidency, who undertook a self-appointed mission into the free states, with the professed object of bringing over the abolitionists to the support of Mr. Clay, and was taken into fellowship by some portions of the whig press, and by some whig leaders. It did not appear, that he made many, if any, converts, while his mission was very notorious, attracted attention in all parts of the Union, and was everywhere used, apparently with no small effect at the south, to prove that Mr. Clay was an abolitionist, and that this gentleman was out on a mission authorized and sanctioned by him; and Mr. Clay was obliged to publish a card disclaiming all such connexion and responsibility. It is impossible to estimate the injury of this mission to the whig cause; but it was doubtless very considerable.

The defects of organization, and some modes of action, in carrying on the business of the canvass, were doubtless a serious drawback on its effectiveness, and in many cases a positive detriment. All depended on the city and state of New York, and yet it is thought by many, that the organizations in this quarter were defective: First, in that they did not make a thorough personal canvass; next, that many of the leading agents, confiden

of victory, were too much occupied in disposing of places in prospect; thirdly, the dissensions of cliques; and fourthly, more show than hard work.

In regard to the first, the way they did it in New Jersey is an instructive example. It was known there, by personal canvass, as well before the election as afterward, what would be the result; and personal address is that which, in a great measure, determines the result. It is alleged, that no such canvass was made, by the whig organizations, either in the city or state of New York. Hence the great mistakes in the calculations.

In regard to the second of these allegations, if well founded, it is a scandal, that any of the leading agents of a patriotic party, such as the whigs generally are, should ever be heard, in a great political contest, talking about who shall have this, that, and the other place, in an expected victory; and the first syllable of such gossip ought be denounced.

In regard to the third alleged fault, there is perhaps too much reason to believe, that some were in the habit of saying to others, engaged in the same great cause, "We can do without you," and that they received for answer, "Very well." This, certainly, is not united strength against a common foe. Family feuds are the worst of all dissensions.

And in regard to the fourth allegation, there was certainly a prevailing impression, not, perhaps, without reason, that too much reliance was placed on the public display of mass meetings, as if the nation were to be carried by this means, to the neglect of diffusing solid information, and of personal addresses.

It might, perhaps, at first sight, be supposed, that the practice of betting on elections would operate equally on both parties. But that depends entirely upon the fact, whether both are equally scrupulous as to the means employed for victory. If one is characteristically unscrupulous in buying votes, and the other unpractised, the former must have the advantage; and where immense sums of money are at stake, and the contest otherwise nearly equal, the latter is sure to be beaten. A notorious club in the city of New York had an offer of ten thousand dollars from these gamblers, to go over to the other side; but they struck a bargain with their old friends, for the same amount, to stay where they were. This bargaining was not a party business, but a business of the gamblers. It proves, however, that *some* clubs, and many voters, were in the market; and if ten thousand dollars was disbursed to a club of

two thousand men in the city of New York, to secure their votes and influence on one side, how much was probably disbursed in this way for the whole state? And how much for the entire Union? They who have money at stake on an election, and have no scruples about buying votes, can well afford to sacrifice a part of their expected gains, to secure the rest, and save their own stake. It will be seen, that this is a prodigious—a stupendous power—to say nothing of the depravity of morals, which it evinces. Which of the two great parties suffered most in the loss of votes in 1844, in consequence of the stakes, amounting, as supposed, to millions in the whole Union, depends, as before suggested, on their relative purity—a question which it is unnecessary here to decide, and which may be left with all who are disposed to consider it.

Election frauds, fraudulent issues, and the fraudulent use of naturalization papers, are another item in the list of causes, which operated on the result of the presidential election of 1844. That such frauds were practised, not in isolated cases, but on a large scale, has been proved; and there is reason to suppose, that it was planned, and reduced to a system, where such aids were most required to control results.

The Maryland state election of 1844, was vigorously contested, and the majority against the whigs in Baltimore was surprising to all parties. The frauds were so numerous, and many of them so exposed, that instant measures were adopted to bring the offenders to justice. Numbers were convicted and punished before the municipal election, which followed three weeks after, and was also contested with equal spirit. Though frauds were doubtless practised at this election also, yet the result showed, that the action of the courts, in the meantime, had imposed a salutary restraint. The aggregate whig vote of the city of Baltimore was nearly the same as at the gubernatorial election three weeks previous, being increased by only THREE; whereas the vote of the opposite party was *reduced* 722! The convictions for fraud were all on one side, and a poor widow, who unexpectedly paid her back rent, for a few weeks due, with great simplicity, gave as a reason for her ability, that she had received seventeen dollars for the use of her deceased husband's naturalization papers, one dollar for each man which accounted for seventeen fraudulent votes.

It was only where frauds were too obvious to escape notice, and where the authorities could not prudently refuse to act, when in-

voked, that attempts were made to punish frauds of this kind. At one session of the district court of the United States, at Pittsburg, Pennsylvania, after the presidential election, twenty-four bills of indictment were found for perjury and subornation of perjury in taking out naturalization papers—all for the benefit of one party. There were twenty-five prosecutions, and only one of them failed for want of evidence.

The notorious Plaquemine frauds of Louisiana had not even the decency of disguise, but were open and violent, the judges and public officers taking lead in them. Law was trampled under foot and anarchy ruled for the occasion. Several hundreds of non-residents of the parish, were freighted in steamboats from New Orleans, carried down to the precincts of Plaquemine, and *induced* to walk the rounds of voting two and three times each, some under a different name for each time, some under the same name, being furnished with tickets of the right kind, which were opened by the inspectors, in violation of law, before being deposited, to be sure they were right! Nearly all the whig votes offered, were refused; challengers were silenced; all attempts to invoke the authority of law treated with contempt and menace; and whig tickets, after being delivered, were changed for others! It was proved, that the parish was entitled to less than five hundred votes. The number deposited was 1,044! and only *thirty-seven* for the whig electors!

Louisiana was regarded as a whig state, and there was little or no doubt, that it would prove so in the presidential election. The result was a majority of 699 for Mr. Polk, in a vote of 26,865. It was one of those states that was considered necessary to be gained, to secure the election of Mr. Polk; and it *was* gained. If the fraudulent voters of Plaquemine parish, imported for the occasion, also voted as many times in New Orleans, or elsewhere, as may be presumed—for they could make double or treble more money at that business, than at anything else, be fed, and get drunk—that was enough to answer all the purpose to gain the state. But it is not to be supposed, that such a system, actually adopted on such a scale, and so openly and unscrupulously practised, would stop within these ascertained limits. The same calculations, apparently, were made for the states of Pennsylvania and New York, and the same system carried out—not, however, so openly as in Louisiana.

The evidences of fraud in the state of Pennsylvania, are fur-

nished by finding the increase of its population for a given number of years; by determining the ratio of the increase of its legitimate vote on the basis of the increase of population; by comparing the vote of 1840 with that of 1844; and by ascertaining in what parts of the state, and in which party, the increase of the vote at the presidential election of 1844 exceeded the legitimate ratio.

It is admitted, or will not be denied, that the full strength of both parties was brought out in the presidential election of 1840, when General Harrison was run against Mr. Van Buren; and it is assumed, that the increase of the legitimate popular vote can never exceed the ratio of the increase of population. It is more likely to be less, than greater, as multitudes of immigrants arrive, who are not naturalized. It is also admitted, or will not be denied, that the full strength of both parties was arrayed in the presidential contest of 1844. Consequently, when the ratio of the increase of population is determined, it fixes the ratio of the increase of the legitimate popular vote, which, from 1840 to 1844, would be 11·27 per cent. The average increase of the vote of the state, therefore, for the same time, could not lawfully be more than this. But it was made more, in the returns, by a large fraction. It only remains to determine, in which party this unlawful increase was acquired; which is a simple operation of vulgar arithmetic, in the use of elements furnished by official documents and tables.

It is found on examination, that the increase of the vote in the whig portions of the state, where the authorities superintending the polls were whig, corresponds almost precisely with the ratio of 11·27 per cent., and where there were any variations by accidental causes, as in the city and county of Philadelphia, by the sudden rise of native Americanism, the causes are apparent. But the increase of the vote in other portions of the state, where the superintendence of the polls was under the direction of the opposite party, was not only much beyond the rule so fairly established, but is startling—astounding; and the increase was not in the whig vote, but in that of their opponents.

The vote of whig portions of the state in 1840, was 1400 less than the vote of the remaining portions—the entire vote of the state having been 287,695. The two great sections, therefore, were nearly equal in this particular. But the increase of the whig vote, from 1840 to 1844, was only 13,679; while the increase of the vote of the opposite party, for the same period, was 24,076 It is admitted, that this might have been a lawful difference, by a

change of votes from one party to the other, if the legitimate ratio of the aggregate increase of votes in the whole state, could be maintained on the basis of population. But the application of this test decides, that there was no aggregate change of this kind. On the contrary, it is known, from other sources, that the change was rather the other way.

The excess of this unnatural increase of one party, in the whole state, above the ratio of 11·27 per cent., was 9,810 ; and the excess in the counties where the polls were under their own supervision, was 6,459.

There is another remarkable fact in the difference between the gubernatorial and presidential votes, which happened about two weeks asunder. Before the election for governor, &c., it was allowed by the knowing ones of the party opposed to the whigs, that Mr. Clay was at least ten thousand votes stronger in the state of Pennsylvania, than General Markle, the whig candidate for governor, and that it would be necessary for them to elect Mr. Shunk, their candidate for governor, by ten thousand majority, in order to secure the state for Mr. Polk. But Mr. Shunk's majority over General Markle, was only 4,282, lacking full six thousand, according to their own calculations, of a safe majority for the coming presidential election. With the estimated difference of ten thousand between the popularity of Mr. Clay and General Markle, the full strength of parties was brought into the field in the election of state officers. How was the remaining six thousand, or more, to be made up, to defeat Mr. Clay ? The answer is found in the returns of the presidential vote. The whig vote did not fall off, but, as was expected, increased 5,200 on the vote for General Markle, mounting up to 800 over that for Mr. Shunk—all this gain for Mr. Clay coming from those who voted for Mr. Shunk—and yet he popular majority of Mr. Polk over Mr. Clay, was 6,332 ! It was known, within a very small fraction, by the result of the election for state officers, how large the vote must be to gain the state for Mr. Polk, by a secure majority, and that amount *was obtained.* Admitting that fraud was practised as a system, it was only necessary for those who had charge of this business, to apportion the necessary aggregate increase among all the polls under the control of the party, and require each to return its assigned quota of votes

A *secret* circular, dated Harrisburg, January, 1844, signed by Edward A. Penniman, and seventeen other members of the legislature, as an executive committee, was prepared and sent through

the state, with injunctions, that "the contents of this letter should be made known *only to such of our friends as will keep their own counsel*, and assist in organizing the party; *and it is very desirable that it should not appear in any newspaper, or be communicated to our political opponents.*" After presenting the motives to action, for the pending presidential contest, it was particularly enjoined, "to secure a *large turn out* at the election of judges and inspectors [of the polls]. *This done, we shall have the vantage ground,* AND AN EASY VICTORY WILL BE OURS."

A copy of this circular, together with all the elements and details from which the above statements and results are obtained, will be found in a document addressed to the whigs of Pennsylvania, by the Hon. CHARLES GIBBONS and others, dated at Philadelphia, December 9, 1844, amounting, as will probably be generally conceded, to demonstration.

The frauds in the city and state of New York were probably more systematized, consequently more productive, and practised on a larger scale, than anywhere else. It was admitted on all hands, that the party which should gain that state, would, in all probability, secure the general government. It was, therefore, an object of supreme importance. The spectacle exhibited in the courts of the city of New York, a few weeks, more especially the last few days, before the election, manufacturing American citizens by thousands, out of the raw material freshly imported, and thrown into their hands by committees appointed for the purpose, who had raked them up from the gutters and dark dens of the city, unable to speak the English language, or to understand anything what they were about, being as perfectly passive in the operation, as any other raw material, passed through any other factory in the land, is itself proof incontestable of the fraudulent character of these transactions as to their great bulk. If some of them were entitled to naturalization by the letter of the law, few of them were by its spirit. It is evident that the law was designed for voluntary use, as a privilege, and not to be forced upon its subjects;—much less that they should be hired, *bought* to use a power, which they knew nothing about, and would not desire, except as they were paid for it.

The well-known ability and practice of passing the same naturalization papers from one hand to another, and of using dead men's papers—as in the case of the poor widow at Baltimore, who sold the use of her dead husband's right seventeen times at one election, for one dollar each—comprehend a large list of frauds in

the city of New York. In this way an adopted citizen's right is not only many times more available during his life, than that of a citizen native born, but it continues to be used with a multiplied power after his death! The volunteer practice of obtaining what is called a legal residence in several wards, and in several districts of the same ward, and then appearing as many times at the polls to vote, in a different dress, and in other ways disguised, is another mode of fraud practised to a large extent. Hundreds of young men go the rounds of the city the whole of an election day, frequently changing dress, and offering their votes, which are often received without being challenged, and when challenged, they pass on to another, making open boast of it, and saying, "He is a fool that will not vote as many times as he can."

But a new mode of fraud is alleged and believed to have been practised on a large scale, in the city of New York, in 1844: That of employing men for at least six months before the election to obtain residences in every ward and district of the city (districts 79), at the cheap boarding-houses, that could be sworn to, if necessary, they being known as boarders at all these places, though not always there. Being entirely devoted to the task, and paid for it, they could visit each place frequently, and be recognised as residents. In this single mode, thousands of fraudulent votes are believed to have been given in the city of New York, at the presidential election of 1844. The funds necessary were raised by betting, and advanced. Considering all the various modes by which fraudulent votes were obtained, five thousand for the city of New York, and fifteen thousand for the state, would probably be an under estimate. The greatest possible effort of this kind was made, inasmuch as the relative strength of parties in the state, at that particular juncture, was more uncertain than in almost any other state, and it was therefore difficult to determine what amount of fraud would answer the purpose of victory.

In the state of Georgia, the number of legal voters, under sixty years of age, can be exactly ascertained by the tax list, and those over sixty, by the United States census, the aggregate of which is 78,611. The number of votes actually given at the presidential election of 1844, was 86,152, being 7,541 in excess of the legal voters thus ascertained. When it is considered, that sickness, absence, indifference, and other causes, keep many legal voters from the polls, this difference between the legal and actual vote is increased, probably by some thousands. That this unlawful increase

was on one side, is proved by the reports in detail from counties. For example, the lawful vote of Forsyth, Lumpkin, Habersham, and Franklin counties, by the rules above recognised, would be 3,202; but they actually returned 4,014 for Mr. Polk, and only 1,821 for Mr. Clay—in all 5,835! The excess over the lawful votes, in these four counties, as will be seen, was 2,633! Their political complexion is seen from the vote. In the four whig counties of Madison, Elbert, Lincoln, and Columbia, the lawful vote was 3,105. The votes returned were 3,123, being 18 in excess of the legal vote—of which Mr. Clay received 2,124, and Mr. Polk 999. It is true, there are no means of ascertaining which party gave these 18 or more unlawful votes; but a view of the result in the other four counties, affords a very strong presumption. Elbert, the strongest whig county in the state, gave five votes *less* than it was entitled to.

It is a singular fact, that there were no evidences of fraud in 1844, over the whole country, except on one side. It is a proud boast of the whig party, indeed, if it shall prove true, that it is impossible for them to practise frauds of this kind. In an election of the city of New York, in 1838, some men were brought on from Philadelphia, by members of this party, for the alleged purpose of detecting fraudulent voters on the other side from the same city, and the correspondence relating to the affair being exposed, occasioned the charge, that those men were brought on to vote. It is believed that the persons concerned in it, were innocent. Whether so or not, it was their own private affair, and not an affair of the party, though the party has been stigmatized for it. It is the only fact of the kind that has ever transpired in the history of the whig party of the United States.

The experience of 1844 proves, that betting on elections must inevitably be ruinous to the party that is not morally capable of practising fraud. It was betting that furnished the capital that gained the victory, and the defeated party paid all the bills of cost for their own overthrow. If the individuals who bet and lost, could have suffered alone, all the upright part of mankind would say, it was good enough for them. Confident of victory, they staked their money to an immense aggregate, which was immediately employed to secure votes against them and their party. Their confidence in the first place, was doubtless well-founded; but the use they made of it, destroyed its own basis, and it tumbled to ruin. Every thousand dollars they staked, was capable

of purchasing a thousand votes against them. But it was not all disbursed in that way. A small fraction of it would answer all the purpose. The spoils were divided between those who bought, and those who were sold, the former taking good care of themselves.

The following are extracts from an article on this subject, published in the May and June numbers of the American Review for 1844:—

"The machinery of election frauds in the city of New York, is a matter so important to the fate and history of the republican system, and yet so remote from the knowledge of even the most intelligent politicians, as to be worthy of special and elaborate notice in an 'American Review,' on whose pages may be sought, in other times, portions of the history of the age, as evidences of the success or failure of this first experiment in practical democracy—actual popular self-government. That such frauds exist, has long been notorious. No New-York politician would risk a reputation for veracity and intelligence so far as to deny it. But of the details, the system, the extent of these operations, much remains to be communicated, even to those best informed and most active in the political movements of the last few years. * * * Betting on elections is with them [political gamblers] a study, or trade, or craft, the most important branch of their regular business: and the mode of securing gain to themselves is the same as in those manipulations of cards and dice which to the dupe only are games of chance, while to the practised cheat they truly are games of SKILL. Thus they play in politics, where the ballot is the die, and the voter is the card. They play at THIS game also with "loaded dice" and "MARKED CARDS." And whenever they enter into the business of elections with money staked upon the result, they proceed with as much confidence in the production of the majorities on which their winnings depend, as they do in their gambling-houses, where all the *supposed* chances of the faro-table, the roulette, the *rouge et noir*, the dicebox, the cut, the shuffle, and the deal, are converted, by their knavish arts and secret marks and mechanical contrivances, into positive certainties of fraudulent gain. * * * At an early period in the year 1844, the fact of a deficiency of votes in a majority of the states, for the candidates of that party (whoever might be nominated), was communicated among the responsible leaders and managers all over the country; and the sense of the necessity of supplying that deficiency by fraud was simultaneously impressed on all, while the publications and organs of the party in every quarter studiously maintained a stout show of confidence in a certain victory by the lawful suffrages of the people. The directors and agents being duly possessed

of this fact, took care to obtain first a just and veritable estimate of the actual numbers of the lawful voters of their own party, and of those opposed to them. After doing this, was assigned to the same partisan agents, or still more trustworthy and respectable men selected as their representatives, the mighty task of creating in all the various practicable sections and counties a fictitious equivalent to the small lawful majority of voters positively known to exist against them in each. This measure, or system of measures, was, through safe and determined men, put in operation in every part of the United States, throughout the year 1844. Before the 4th of March in that year, the plan was completed, and was in incipient operation from the extreme northeast to the remotest southwest. The direction was central. The apparent origin of the scheme was in the national capital; but there were some in the great original seat of fraud, who knew from what source the primary suggestions of the scheme had proceeded, who could trace in the history of New-York legislation, and in the character of a peculiar portion of a New-York population, the composition of details suited especially to previous political emergencies in this great school and scene of political crime.

"The associated gamblers and criminals of the city of New York had for many years maintained a peculiar connexion with the cognate fraternity of political adventurers and speculators, who formed the nucleus and directive agency of 'the party' here. Distinct in organization, though often possessing some members in common, the two sub-communities of knavery had subsisted, each in its own sphere, but in a sympathetic contact, productive of reciprocal profit incalculably great, and consequently accumulating durability by duration.

"The gamblers had long been in the habit of paying to the responsible agents of the party with which they were thus associated, a large sum of money just before each election, as a consideration for secret political intelligence, upon which they could make their betting calculations, and also as a means of bringing about the purposed effects which constituted the certain details of success. The authorized general committee of the party made an exact, thorough canvass of the actual lawful vote of the city just before each election, and, upon that, decided how many spurious votes were wanted to secure practical results, and *where* they were wanted and could be desirably bestowed. They could announce to their secret allies, with great precision, the real majorities against them; and then they arranged with them, in like precision, the exact apparent majorities in every ward or district, which were to be produced by their joint means and agencies in the manufacture of false votes. The sum raised by the gamblers, and contributed to the party treasury as their equivalent for secret intelligence, was $3,000 in the spring of 1844, and did not much vary from that

amount for some time previous. This both paid the expenses of the laborious preliminary canvass, and furnished means for making good its deficiencies by illegal ballots. The gamblers could also furnish the instruments and agents of fraud from among their retainers and dependants. All the powerful influences of the lawless and criminal class of the community were within their reach. The consciousness of a common character and purpose, connecting them securely with those who avowedly live by statute-breaking villany, was a tie of irresistible, mutually-attractive force, which enabled them to communicate always with perfect confidence and safety. They could, therefore, at the briefest notice, call out an auxiliary legion as prompt to execute the measures of fraud, as their patrons were ingenious to design, invent, or direct.

"With the information thus distinctly furnished, the gamblers could always make the business of 'betting on elections' a game of skill and certainty to themselves—a game of chance only to fools. The number of lawful votes belonging to each party in each ward, the number of absentees, of doubtful and undecided voters, the number of illegal votes required and secured to produce the desired majorities, the amount of those majorities in every instance, with an exactness varying only by tens in a ward, and by hundreds in the whole city—were all fixed data foreknown to the gamblers and 'sporting characters' through revelations thus given. The secresy, vigilance, and activity, necessary to the safe and sure retention of these matters among the favored class, were easily maintained by a body of men with faculties so sharpened and disciplined by continued exercise in unlawful, dishonest pursuits. Honest men, or those habituated only to pursuit of gain by open, respectable business, would be, intellectually as well as morally, less capable of the tasks involved in such an undertaking. The secret might escape, by occasional relaxation of the needful self-restraint and caution; the needful measures would be often neglected; and the execution of deep plans would often fail by deficient arrangements, if they were left to any men but such as were occupied habitually in concealing their own gainful violations of the law of the land, and of the decent usages of respectable society.

"The importance and value of the business of betting on elections, made it worthy of the expenditure of time, money, and labor, which was so freely lavished on these preparations. It opened a much wider and higher field to the operations of the craft than was furnished in the dark dens and closely-curtained saloons of the professional gamblers and their victims. Long usage and the tolerated irregularities of high political excitement had made this form of gambling nominally respectable—a little more so than the same operations on the race-course. It was the most dignified and respectable variety of the gamester-craft, sanctioned by the public

example of many of the most honorable men in society. Editors, high office-holders, merchants, and others of well-established character, in both parties, encouraged it by word and action. The vice was excused, or justified, on the ground that it was necessary to offer and take wagers publicly, in order to evince, to the doubtful and wavering portion of the community, a proper confidence in the success of the party, and thus to retain many votes which are always reserved to the last, and are then given to that which appears to be the strongest side. Under these pretences and influences, were brought within the reach of professional gamblers, many who could in no other way be induced to put themselves in the power of such persons. Thousands who would gamble in nothing else, gambled largely in politics, without shame or scruple, and eagerly rushed into this disgraceful competition with the outcasts of society, till, for some months, the whole country seemed turned into one great race-course, fancy-stock exchange, or gaming-house, where the slang of jockeys, brokers, faro-bankers, and thimble-riggers, was converted to the expression of political chances, displacing the decent language in which patriots and republicans were wont, in better days, to speak of the dangers of the commonwealth and the duties of the citizen. In all places of public resort, in the streets, the hotels, the oyster-shops, every political discussion was almost inevitably terminated by the tender of a wager from some of the gamblers or their agents, who were continually prowling around, and seeking to provoke or worry incautious men into 'backing up their opinion with their money.'

"The effect on the result, designed and soon produced by such operations, was this: At least half a million of dollars was offered [in New York], pledged, and secured to the gambling fraternity and their political coadjutors, by the professed friends of morality, order, peace, and protective legislation, upon which they might draw, a few months after sight, to pay all the expenses of the election. A much larger amount than this was staked; but this sum was early secured by the professional speculators in elections; and it was for them to decide how much of this amount it was necessary to anticipate in expenditures to *insure* their bets. Five hundred thousand dollars? With half the money, they could beat the strongest candidate ever presented by any party!"

It will be seen, from this review of the CAUSES of the whig defeat in 1844, that most of them were accidental, and might have been avoided by prudence, foresight, party-discipline, and sound policy. Some of them were perfectly unnecessary and wanton mistakes—difficulties apparently invoked and sought for—as if the whole party, with the best chances a party ever had, and with a chief of world-wide fame, had tried to defeat themselves, and with dif-

ficulty succeeded! It is true, that it is like putting the hand to the sun, to turn his course backward from west to east, by fighting against the word "DEMOCRACY." But that is the folly of the party, who are themselves the TRUE democracy, and whose chief has never ceased to fight its battles against regal usurpations. It is true, that the single cause of FRAUD, was enough to beat them, and did beat them; but they furnished the money to buy the votes by betting.

The *returned* majority for Mr. Polk in the state of New York, was 5,106; in Pennsylvania, 6,332; in Georgia, 1,944; in Louisiana, 699. It is evident from the facts disclosed in this chapter, that the frauds in each of these states, were considerably, in two or three of them largely, in excess of these majorities. It is, therefore, undoubtedly true, that, by legal right, the electoral vote of the states of New York, Pennsylvania, Georgia, and Louisiana, for 1844, belongs to Henry Clay, in addition to the vote actually returned for him, and that he was legally elected president of the United States by an electoral majority of 183 against 92; but it is not true, that the forms of law have so operated as to declare it; AND HENRY CLAY IS, NOTWITHSTANDING, IN RETIREMENT!

CHAPTER XIX.

THE DISAPPOINTMENT.

Remarks on the Occasion.—Extracts from Letters of Numerous Persons, of all Classes, in all Parts of the Union, expressive of their Feelings in View of the Result of the Presidential Election of 1844.—Notice of Similar Documents of Political Associations.

Mr. CLAY has somewhere remarked, in substance, that it is not often a whole nation can rouse itself to an effort like that which characterized the movement of the people of the United States in 1840. This is eminently true. They who passed through that struggle, and sympathized with it, can not but feel, that it was a great national agony. Many years of suffering in all their public and private interests, from the mal-administration of the government, and the hope of relief, roused the people to a sublime aspiration, and by one mighty movement, they burst their chains, and thought themselves free. The death of the chief they had put forward, and the infamous apostacy of his lieutenant, who became invested with all the powers of his principal, was a shock which a free people never before encountered in an equal degree, and under such aggravating circumstances. There was a universal collapse of feeling, and the nation was disheartened. Who can be trusted? was the despairing inquiry of more than every second man. To marshal the people again for another like struggle, after such disappointment, was more than human power could do, till some long interval had passed, or some intolerable suffering had arrived. They hoped against hope. The tariff of 1842 was a boon, on which they could subsist under great disadvantages arising from the absence of other congenial measures, and from the want of confidence in the administration of public affairs. Like a magnanimous people, they suffered the wrong, because there was no remedy, till another four years should have rolled round.

But there was a man in the midst of them, on whom the eye of every true patriot rested; who had repeatedly carried them through

great and critical national emergencies who, for two generations, had stood prominent and influential in the national councils; whose eloquent tongue had moved distant nations that had only heard of his fame; who had taught the people of the United States the A B C of the constitution, and graduated them in the science of the only true national policy; who, for a long course of years, standing on the platform of fundamental law, had fought the battles of the democracy against regal pretensions; who had sacrificed all his personal chances for the good and glory of his country—A TRIED PATRIOT—AN UNRIVALLED STATESMAN.

It was to this man the nation looked in its day of adversity. It was this man which the nation intended should be placed at its head on the 4th of March, 1845, and whom all the people knew ought to have been placed there long before. They desired it, they purposed it, they decreed it; not a man in the ranks of his opponents doubted that such would be the result, and no small fraction of his former opponents themselves desired it, and would have voted for him, if they had ever dreamed it was necessary to secure the end so universally expected.

And there was a heart, a soul—the soul of the people—clustering around this faithful and long-tried sentinel of freedom—such affection, such regard, such sentiments, as, to the same extent, in the same amount, and with an equal degree, never, perhaps, centred on any public man, of any nation, in any age. It was hallowed by time, by personal worth, by faithful and unrewarded public services, of older date than the ordinary age of man.

And yet this man was REJECTED, in the way, and by means already told! The cup that was brought to the lips, was dashed to the ground! The flood of regrets that poured in upon him, after the general disappointment, is an unexampled proof of the strong and undying personal regard of a people, toward such a public servant, most of whom knew him only by his deeds and by his fame.

The author of this work, having had access to this correspondence, has taken the liberty of making a short chapter of extracts from the voluminous files that lay under his hand. The letters were from all parts of the Union, from all characters and professions, and from all conditions of life, as the extracts will evince, most of which were dated in November and December, 1844, and many of them from individuals who had no personal acquaintance with the object of their regard. As they were private, and never

designed for publication, the signatures and places are omitted, the extracts being numbered, to show, that each number is from a different person. Little more is taken than a single sentiment from each, and from some but one short sentence. It hardly need be said, that they are clustered here as gems of moral beauty—a cheering oasis in a desert—evincing, for the hopes of mankind, that there is yet virtue in the land, to be set over against the sin and shame of national ingratitude :—

(1.) * * * "The agony is over. Be assured, sir, the issue has made more virtuous hearts to bleed, than triumph. It may make us mourn, but not blush. I hope, sir, you are satisfied, that your countrymen are not insensible to the debt of gratitude they owe you, and which they would lavish fortunes to repay." * * *

(2.) * * * "What a wound has been inflicted upon the honor and interests of the country ! I pray God, that truth may yet prevail, and our republican institutions be saved. It affords me some satisfaction, under the adverse state of things that exists, to assure you of my abiding esteem and cordial friendship." * * *

(3.) * * * "I write with an aching heart, and ache it must. God Almighty save us ! Although our hearts are broken, and bleeding, and our bright hopes are crushed, we feel proud of our candidate. God bless you ! Your countrymen do bless you. All know how to appreciate the man, who has stood in the first rank of American patriots. Though unknown to you, you are by no means a stranger to me." * * *

(4.) * * * "Sir, we love you now, better than ever." * * *

(5.) * * * "I have hardly ventured to touch my pen to paper, dear and honored sir, to speak of the catastrophe which has befallen our country. Its effects are beginning to develop themselves with frightful rapidity. In the midst of its anguish, the public heart heaves with an oppressive sense of gratitude toward yourself." * * *

(6.) * * * "I do not write to you, my dear sir, to offer condolence, which, I know, would be misplaced and presumptuous. It is my solemn belief, that of all men, you have the least real cause to regret the result." * * *

(7.) * * * "The result of the late election, although disastrous to the country, furnishes a proud vindication of your principles and fame. No man ever before received so glorious a testimonial. The defeat is nothing to you. It is the people who are to be the sufferers." * * *

(8.) * * * "You, sir, and the holy cause, of which you were the honored representative, have been sacrificed." * * *

(9.) * * * "Your whole life, sir, has been devoted to the best interests of the American people." * * *

(10.) * * * "I do not regret the result on your account, for you have long since filled the measure of your own, as well as

of your country's glory. The office of president could add nothing to your fame, nor brighten one line of your history. I regret only the degraded condition of our country. If our people will rush to ruin, who shall hinder them?" * * *

(11.) * * * "Your friends have sustained the heaviest blow that could have befallen them. You, I trust, will feel no other concern about it, than that which naturally arises from your sympathy with them. You are perhaps the only man in the nation, that can lose nothing by the result. Success could have added nothing to your name, and nothing, I believe, to your happiness You occupy now, but too truly, the position described as presenting the noblest of human spectacles:—

> "'A great man, struggling with the storms of fate,
> And nobly falling, with a falling state.'" * * *

(12.) * * * "You enjoy the confidence of the country to a greater extent than you ever have done. No person has a stronger hold upon the feelings of the American people. Believe me, 'tis adversity that tries, not only the statesman, but his friends. God bless you." * * *

(13.) * * * "That *such* a cause, under *such* a leader, should have been lost, is a reproach to the general intelligence, on which the safety of a republic rests, and creates the saddest presages of the future." * * *

(14.) * * * "The ways of nations, like those of Providence, are sometimes mysterious and inscrutable. With the deepest interest in what concerns you personally, I have been solely occupied with these gloomy and portentous occurrences. As for you, they affect you no more, than as depriving you of the means of further patriotic usefulness. You have long since passed that point, where office could confer additional celebrity, or add one inch to the noble pre-eminence which history will assign you. The time will come when all will be ashamed of these transactions. May God protect us from occasion to mourn over them in sorrow and bitter repentance!" * * *

(15.) * * * "I can no longer resist the inclination which impels me to commune with you on the disastrous result of the efforts of the whig party to do justice to you for your long and signal services to your country. God only knows to what we are destined. I offer you no condolence on this sad event. The country, not you, is to be the sufferer. I confess, that the deep respect I felt for you individually, founded on your public services, and on those personal qualities, which, on our first acquaintance, took a lodgment in my heart, never to be effaced, was an additional motive in my efforts to promote your election. That you may live long to enjoy the continued love and confidence of your countrymen, and all the blessings of this life, is my fervent prayer." * * *

(16.) * * * "An orphan I sought sanctuary in the house of a lady, who taught me to love and honor your name. I am no politician, but I prayed that you might stand at the head of this nation. Over the disappointment, few have shed bitterer tears than I. The American heart kindles at the recollection of your services. Your destiny on earth has been glorious. Let the crowning act of your life be a cordial embrace and public acknowledgment of the Prince of Life." * * *

(17.) * * * "I have buried a revolutionary father, who poured out his blood for his country; I have followed a mother, brothers, sisters, and children, to the grave; and although I hope I have felt, under all these afflictions, as a son, a brother, and a father, should feel, yet nothing has so crushed me to the earth, and depressed my spirits, as the result of our late political contest." * * *

(18.) * * * "I have thought for three or four days I would write you, but really I am unmanned. All is gone! I see nothing but despair depicted in every countenance. I confess that nothing has happened to shake my confidence in our ability to sustain a free government, so much as this. A cloud of gloom hangs over the future. May God save the country!" * * *

(19.) * * * "Could you behold the depression of spirit and sinking of heart, that pervade the community, I am sure you would feel, 'Well, in very truth, my defeat has been the occasion of a more precious tribute and vindication, than the majority of numbers.'" * * *

(20.) * * * "I feel as if it would be some relief to express to you the deep grief with which my heart is penetrated. Never was interest so intense manifested in behalf of any public man. Your reputation as a statesman and a patriot remains untouched, or is rendered more brilliant, still commanding, as it long has commanded, the admiration of the world." * * *

(21.) * * * "Permit me, a stranger, to address you. From my boyhood I have loved no other American statesman so much, except Washington. I write from the overflowings of my heart. I admire and love you more than ever. If I may never have the happiness of seeing you on earth, may I meet you in heaven." * * *

(22.) * * * "You have done enough for fame. The country alone was to have been benefited by your election. When posterity shall wonder you did not obtain the first office in the gift of your countrymen, the only answer that can be given, will raise you higher than the office could have done: 'It is because *he had rather be* RIGHT *than be a president.*'" * * *

(23.) * * * "The deplorable result of the late election has here, as everywhere, filled the hearts of your friends with pain and mortification. And this feeling has not been confined to voters, but has extended itself through all ages, sexes, and conditions, 'from lisping infancy, to hoary age.' We were not aware, until

we saw our anticipations blighted, how strong a hold you had upon our affections." * * *

(24.) * * * "We know not how to express what we feel; but we assure you, that never—*never*, even in the days when you were universally recognised as the guardian genius of our country—*never*, when your triumph was deemed most certain, have you held so deep, so warm a place in every whig heart, as at this hour." * * *

(25.) * * * "The prostration of those high and glorious principles, of which thou hast been so long the great and unwearied champion, is our country's loss. It is for this I mourn, that, in thy retirement, one of the strongest advocates of those great principles, is removed.

> " 'But thou art freedom's now, and fame's—
> One of the few, the immortal names,
> That were not born to die.'" * * *

(26.) * * * "I have been reluctant to admit, that republics are ungrateful." * * *

(27.) "LONDON, *Nov.* 27, 1844. In an hour I shall be on board a steamer for the continent. I will not lose a moment in conveying to you the heartfelt emotion, amazement, and grief, with which I received the news, just arrived, of the result of the presidential election. Great God! Is it possible? Have our people given this astonishing, this alarming proof of the madness to which party phrensy can carry them! The hopes of the wise and the good, in the new and the old world, rested upon you. But my heart is sick. May God for ever bless you." * * *

(28.) * * * "Could the people of this country erect to the name of their NOBLEST CITIZEN, a monument as high as heaven, Rhode Island would claim to lay the cap-stone, and would prove her right. The devotion of this state is *personal*, as well as political. '*Could my life insure the success of Henry Clay, I would freely lay it down this day*,' said an old sea-captain at Providence, on the morning of our late election. Nor would this language be mere hyperbole in the mouths of very many of our citizens, who have already exposed their lives, and are ready to do so again, in defence of 'law and order,' with which cause your name has become identified among us." * * *

(29. *Translated from the French.*) "I am a Louisianian, sixty-six years old, am sick, and have to employ both hands to trace imperfectly these few lines. The ingratitude of the United States heightens in my eyes the brilliancy of your reputation for the pages of history. Your enemies themselves pay the tribute of admiration to your high capacities, truly American, and are surprised that Henry Clay has not received the palm due to his eminent services. They recall to my mind Aristides banished, Socrates poisoned. To be the benefactor of a nation, demands a concurrence

of circumstances, which do not often occur in a succession of ages." * * *

(30. *From a lady.*) "I had indulged the most joyous anticipations in view of that political campaign, which has now been so ingloriously ended. I considered, that the nation could never feel satisfied, until it had cancelled, in some degree, the onerous obligations so long due to its faithful and distinguished son. I considered, too, that in an exigency like ours, the spirit of liberty would once more be enkindled, and that you, who had shielded it in the most dangerous conjunctures, would alone be looked to as the only safety of the republic. * * * Apart from all the feelings of patriotism, and the poignant remorse, which a nation's ingratitude must bring upon us, I must say, sir, that for yourself you have much cause for gratulation. You could not have been honored by the presidential station. I do not presume, therefore, to offer the language of sympathy to you as an individual, but in behalf of that country, that party, and the great principles of that party, with which you are so inseparably identified." * * *

(31.) "As thou art undoubtedly loaded with letters at the present time, it may appear singular to thee, that an entire stranger should take the liberty of addressing thee. But so strong are my feelings of attachment and respect for one, who has so faithfully and successfully devoted his whole life to the public good, that I can not well refrain. I do not condole with thee on thy own account—for the presidency would add nothing to the honored name of Henry Clay. * * * I pray that the elasticity, which thou hast always displayed, when pressed most heavily, and by which thou hast been enabled to rise for thy country's good, when in many an exigency she has most required thy help, may still be vouchsafed to thee. My wife and four boys desire their hearty love to thee. I would not add a feather to thy burdens, but I should much value a single line from thee, that my children may look upon thy autograph, when you and I shall have ceased to mingle in the turmoil of this fleeting scene, and as I humbly trust, through the mercy of our Redeemer, may be united to that glorious host, that surrounds the throne of God."

(32.) * * * "I do assure you, sir, that my poor sorrow-stricken heart, is incapable of flattery. I only wish, in truth and honesty, to describe to you my feelings. I have been a child of misfortune all my life; I have sustained many severe losses of dear friends; but nothing has hurt me like this. Oh, God! Is there no constitutional provision, by which illegal votes can be purged out, and the legally-elected president restored to this nation? * * * I have no children to be enslaved, and am an old man. They can't hurt me, or my wife. But it is for my country, that my heart bleeds." * * *

(33.) * * * "The sentiments of your Connecticut friends are echoed from every quarter of the Union, with equal fervor and sin-

cerity. I avail myself of the occasion to blend with them those of one, who, for many years, has bent himself to the work of giving permanence to our institutions, and substantial prosperity to the country, by placing the reins of government in your hands."

(34. *From a lady.*) "My mind is a perfect chaos, when I dwell upon the events, which have occurred within the last few weeks. My heart refused to credit the sad reality. Had I the eloquence of all living tongues, I could not shadow forth the deep, deep sorrow, that has thrilled my inmost soul. The bitterest tears have flowed like rain-drops from my eyes. Never, till now, could I believe that truth and justice would not prevail. Among the indications of decadence of the republics of olden times, was ingratitude to the great and wise. Then, as their punishment from an avenging God, came the avalanche of northern barbarians, which swept away all but their memory. In the dim mists of the future, I seem to discover the downfall of *this* republic for a similar cause—ingratitude to YOU, who, for so many years, have been the sentinel on the watch-tower, guarding her liberties, and pouring out the treasures of your great and mighty mind in her service. I feel the patriotic blood of my brave grandsire rush in indignant torrents to my heart, when I see the situation of my country, for which he fought and bled."

A counterpane, of fine needlework, was made by Mrs. Ann Warner, of Harford county, Maryland, in the *ninety-third* year of her age—done in a few weeks without aid—composed of almost numberless pieces, and forwarded to Mr. Clay, in the centre of which, inwrought by the needle, is the following inscription :—

"TO THE HONORABLE HENRY CLAY,
THE ORATOR, PATRIOT, AND PHILANTHROPIST,
In token of admiration of his genius and his virtues,
Is presented this piece of needlework, by
MRS. ANN WARNER,
Executed by her own hands, in the 93d year of her age.
Baltimore, 1845.

"While lingers still my setting sun,
And life's last sands in silence fall,
Ere death's rude hand the glass shall break,
And o'er its ruins spread the pall—

"I lift the voice which 'mid the storm
Of war our early patriot blest,
And with its dying accents hail
The patriot hero of the west.

"Oh, hallowed be thy matchless worth,
By a whole nation's love and prayers;
And thy eventful being close,
Lamented by a nation's tears."

The following is an extract from the records of a meeting of ladies, in Richmond, Virginia, held December 9, 1844, to take

measures for the erection of a statue of Mr. Clay, at the expense of the ladies of Virginia:—

"The ladies here assembled, desire to express, in the enduring form of a statue of Henry Clay, to be provided by voluntary contributions by the ladies of Virginia, and erected in the capital of his native state, their respect and gratitude for the distinguished public services of that eminent citizen and patriot—their sense of his private worth—and their heartfelt admiration for the genius, eloquence, and wisdom, with which at all times, and often in her hours of extremest trial, he has adorned, enlightened, and guided the councils of his country. And believing that this sentiment is largely shared by the ladies of Virginia, generally, toward the man who, beyond all her living sons, has by his life and character shed a lustre on the state of his and their birth, and acquired for himself a fame, which is the boast of his own, as it will be a light and a lesson to succeeding ages, they are cordially and respectfully invited to unite in the purposes, and to become members of the association hereby formed."

Mrs. Lucy Barbour, widow of Governor Barbour, was placed at the head of this association, whose grateful and patriotic design is as sure to be consummated, as the hearts of ladies are true. This proposal originated as follows:—

"Barboursville, *November* 17, 1844.

"Mr. Pleasants: I was not a little surprised by my two granddaughters, who reside with me, suddenly entering my chamber this evening, and exclaiming: 'Grandmother, what can we do for Mr. Clay? Some token of respect ought to be given him by the whig women of America, and we have been devising many plans, but, on further consideration, none of them pleased us.' But before I could answer the interrogatory, one of them said: 'Suppose you undertake to raise, by subscription, a sufficient sum of money to purchase a handsome plate, with suitable whig emblems and inscriptions?' I was much pleased with the thought, and our views expanding, as we conversed on the subject, we concluded at first to extend the privilege to the whole state of Virginia; but at last determined, if it should appear practicable, to embrace the whole Union in our scheme. Ostentation should be avoided, and a small contribution from each would be sufficient for the purpose, and enable every one, however humble, to aid in its accomplishment, without the fear of being overshadowed. Now we wish you to adopt the scheme as your own, if you think it feasible; and we ask the aid of your powerful pen, in addressing the whig women of the United States on the subject, remembering the admirable injunction: 'Whatsoever ye do, do it quickly, for the artisan knows he is to strike while the metal is hot;' and if the

feeling of the moment passes away, it will be difficult to arouse it a second time.

"I know our sex are thought by many, unstable as water; but I hope, after crowding the whig festivals, and manifesting so much enthusiasm, few will be found so hollow-hearted as to refuse a small sum to aid so good—I had almost said, so holy—a cause. We leave the manner of raising the money entirely to your judgment; for perhaps, if the subscription is too limited, we should not be able to raise a sufficient sum.

"With great respect,

"LUCY BARBOUR.

"*To the Editor of the Richmond Whig.*"

Concurrent with the foregoing letters, and the same in character, the many hundred whig organizations throughout the Union, expressed their feelings on the same occasion, in a manner, of which the following are specimens:—

"*Resolved*, That we, the whigs of Chatham county [Georgia], hereby express our undiminished confidence in the purity and patriotism of our late candidate for the presidency, HENRY CLAY, of Kentucky, that our esteem and affection cling to him as closely now, when rejected by an ungrateful people, as ever in the proudest days of his prosperity and power; and that, regarding him as one of that glorious band of patriots, whose genius and virtues have imparted a lustre to the history of our country, we look with confidence to that period, when malice, which always aims the arrows of calumny at the noblest heads, shall have perished, and a grateful posterity, reversing the unjust judgment of our times, shall enshrine him in the hearts of his countrymen, second only to Washington."

By the whigs of New Haven, Connecticut, on the 11th of November, 1844:—

"*Resolved*, That, for our candidate for president, at the late election, HENRY CLAY, we cherish the most deep and devoted attachment, the most profound respect and regard; that, as a patriot and statesman, he has no superior; that, for services rendered to his country, he has no living equal; that his election to the presidency, though it would have greatly honored and benefited his country, would not have added a single ray to the brightness of his fame."

Addresses from whig associations, in every part of the Union, of this class, and on this occasion, might be extended to fill a volume—all equally pertinent and eloquent, giving utterance to the same sentiments, pouring out their sorrows and regrets on the same

theme, and expressing their admiration of the character of the same man.

The following is an extract from an address of the New York Central Clay Committee, dated March 4, 1845, when Mr. Clay should have been installed as president, having received the majority of the LEGAL vote of the people of the United States. It was enclosed in a silver case of elegant workmanship, and forwarded to Ashland :—

"Standing at this peculiar point of time, in the void present, between a melancholy past and a future of impenetrable mystery and unusual gloom, we for a moment forget our dark forebodings, and our renewed toils and vigils, in the feeling of what we yet owe to him whose name was our strength, whose glory was our boast, whose splendid services to his country, and whose stainless public virtue, were our just claim to that country's confidence in him as the necessary means of the people's security and happiness. For, in looking around among the wrecks of vain hope, we find that all which embodied and personified our principles, which gave life and reality to our purpose, is left to us unchanged in HENRY CLAY.

"And, therefore, to you, the first and most cherished object of our political devotion—whose name was already illustrious in the history of our country at the period of our earliest personal remembrances—to you, the defender of the Union and its republican constitution, the chief advocate of every measure of beneficial and protective legislation, the unchanging and dauntless opposer of tyranny and corruption, our ever-faithful and heroic leader, chief, and friend—to you, with a sincerity and disinterestedness now above suspicion, we renew our vows of fidelity in this peculiar moment; and millions all over the Union join in these pledges.

"Our relations to you have not been the ordinary obligations of partisans to the regular nominee of an authorized convention. Had you never been a candidate for the chief national office, you would not have been to us less than you have been, and, therefore, defeat can not affect these relations; for you are still to us all that you have been throughout our lives—still great, honorable, just, pure, patriotic, and wise—still first of living men, and 'first in our hearts'—still 'right,' and willing to 'be right, rather than be president'—still greater than president or monarch, for you are still HENRY CLAY.

"Though the people, the country, and the world, have lost so much, we rejoice that no evil has befallen YOU, and that to you remains all the honor which could have been yours in actual triumph, free from the weighty responsibilities which would have been involved in the possession of power. Falsehood, calumny, and treachery, have done their work, and are now hushed in already

half-repentant silence. While the energies and traits that enobled you are still yours, the hearts of your innumerable, devoted friends are also yours, beyond the reach of a thousand unfortunate influences which might have arisen from the peculiar and varied obligations of success.

"When the appalling result was first known here, many, 'unused to the melting mood,' shed bitter tears for their country's dishonor, and groaned in sad appreciation of the dangers and woes impending and now already falling on the nation. Gray-haired age, and strong manhood, and beauty, and youthful hope—all attested a common feeling of the country's misfortune by the same touching manifestations of sorrow. It was many a 'child's first grief:' fathers and their children wept together the death of patriotic hopes which had grown and strengthened throughout the lifetime of both. Even mercenary libellers and deceivers forgot their base triumph for a moment, ashamed of their victory and afraid to boast, and stood silent in the first full consciousness of the evil wrought by them; and they vainly sought to plead with the grief thus excited, and to extenuate their own shame.

"The testimonials of your worth, and of a people's grateful remembrance, derived from these impassioned tokens of feeling, are not to be outweighed by the vain privileges of an office which has been disgraced by the incumbency of some of the worst and meanest of men. The treasures of an empire, and the dominion of a throne, could not have brought to their possessor honors so noble, offerings so precious, or devotion so faithful and enduring. The statue and the column will less firmly and loftily evince a people's sense of your merits and achievements, and the emblazoned page of history, which would be incomplete without the commemoration of your patriotism, wisdom, and eloquence, will but imperfectly express the strength of devotion with which you inspired the wise and intelligent of the age. The monumental marble will be cold in its testimonies of your greatness and renown; but our glowing spirits and burning words shall bear you better witness. The granite shall sooner moulder, than these living memorials shall fail; for the warm hearts in which our blood will beat, shall swell and thrill in other ages at the utterance of your name, with instinctive emotions of gratitude and affection derived with life from us, and inherited while any remain worthy of America and liberty.

"The history of our country and of your life will warrant these impressions of the importance and grandeur of the services which you have rendered to the nation, of the good which you have actually promoted and accomplished. To you, to your labors and eloquence, to your counsels and influence, extending in their consistent and beneficial operation through more than forty years, we owe the enactment and maintenance of the present tariff law by SOUTHERN votes. To you we owe every national measure of re-

lief, protection, and harmony, which *we* have been permitted to enjoy. To you we justly ascribe the merit of purposing and effecting that great prosperity and honorable peace, of which our country, for a time, yet retains possession. The whole land is bright, and vivid, and vocal, with the tokens of your wise policy and active patriotism; and the movements of enterprise in art and traffic, bear witness of your foresight, judgment, and practical statesmanship. And these, with our national honor, peace, union, and justice, will long endure as monuments of your glory, or perish only in realization of your prophetic warnings. The land which your toils and aspirations have blessed—the paradise created from wilderness and from waste, under the legislation which you suggested, directed, and aided—the very streams converted, in the grand movements of art, to the employment, support, and happiness of millions—the splendid fabrics and stately structures of harmonious wealth and labor—the winds which waft, over the seas whose freedom you vindicated, to every shore, the products of our PROTECTED industry, under the flag whose rights you first asserted and maintained—shall all attest your worth, and shall prolong your unfading glory beyond their being.

"Of those, who in classic ages have thus served their country and honored humanity, and have fallen in the protracted struggle with malignity, treason, folly, and tyranny, it has been well said, in terms which richly express our sense of your claims, that—

> "'They fell, devoted, but undying;
> The very gales their names are sighing;
> The silent pillar, lone and gray,
> Claims kindred with their sacred clay.
> Their spirits wrap the dusky mountain;
> Their memory sparkles o'er the fountain;
> The meanest rill, the mightiest river,
> Roll mingling with their fame for ever.'"

CHAPTER XX.

REFLECTIONS.

Disappointment of the Destiny of American Political Society.—A Heresy.—The Effect and Result of Mr. Clay's Labors on American Society.—Recapitulation of the Doctrine of the Protective Policy.—The Disturbing Question.—What has been proved.—Restatement of the New Doctrine.—Mr. Monroe's Views.—What the Country has lost by Opposition to Mr. Clay's American System.—Reconsideration of the Cause of General Jackson's Power and Influence.—Its Disastrous Effects.—The Regal Power.—The Jackson Regime dissolved in 1840.—Rally of its Fragments in 1844.—Their Success.—What they propose to do.—Mr. Clay settled the Oregon Question Twenty Years ago.—A Great Question settled by a "Southern Planter."—Light shining on the South.—Mississippi Cotton Planters come over to Protection.—Pennsylvania on the Protective Policy.—Coadjutors of Mr. Clay.—The Public Land Policy.—Difference between Foreign and Domestic Debts.—The Currency.—Fickleness of Legislation.—Who responsible for it.—The Harrison Administration.—Character of the Tyler Administration.—A Glance at the Future.

THE history gone over in this work suggests some important and practical reflections, among which, not the least—one, indeed, of momentous character—is the GREAT FACT, as developed in the current narrative, that, for a series of years, the United States have been chiefly governed by the REGAL power of the constitution, and to a great extent, by an ABSOLUTE power. This will be a disappointment—a disappointment to the world, not less than to the ordinary feeling of the country, as to what was intended in the establishment of the government and institutions of the United States, and as to what is probably still the prevalent desire of the people.

First, it will be a disappointment to the WORLD. It has been generally understood, down to this time, that the government of the United States is DEMOCRATIC. Such, doubtless, was the intention of its founders, in the most usual and most enlarged sense of the term, to wit, a popular, as contradistinguished from a monarchical government. They supposed that the people were to be the GOVERNORS. The world will be surprised to find, that the practical operation of the government of the United States, under a democratic name and form, has not only been tending to the use and toleration of regal prerogatives, but that, for many years, its

policy and leading measures have actually been controlled by regal sway, not unfrequently absolute and arbitrary; and that, though notes of warning have been sounded by faithful sentinels on the watch-tower of freedom, and though one great popular movement was made in 1840, to rescue the country, it was itself thwarted by that very power, which it aimed to restrict and bring within constitutional limits. It will be seen, that the name of democracy is more easily abused than was supposed possible, and that a constitutional monarchy may be more democratic than a republic. It will be said with triumph by British monarchists, that the British sovereign can not, and dare not VETO the democratic branch of the government. The sovereign can not do it, because the purse-string is in the hands of the people, and is instantly drawn tight by the commoners of the realm, when regal power is stretched beyond their will; and for this and other reasons, the sovereign dare not do it, as is proved from the fact, that it has not been done for more than a century. As has been seen in this work, General Jackson, in 1833, seized the purse of the nation, and took it into his own keeping—not, indeed, without remonstrance—nevertheless, he was sustained in it. That such a transaction should be tolerated, in a professedly-democratic state, is a just subject of concern among all the friends of true democracy. The possession and control of the purse by the people, through their immediate representatives, in the democratic branch of the government, is the only security of freedom. Such is the practical operation of the British constitution, and this is the constant, the effective, and the only check on the abuses and usurpations of regal power.

The impunity with which the regal power in this and other forms, has been exerted in the United States, will astonish mankind, inasmuch as it is generally supposed, and with truth, that the government of the United States was set up for the very purpose of escaping from it. It will also be said, that a monarchy regulated by the constitution, is better than a mere nominal republic, the head of which transcends the constitution at his will, and thus in fact becomes an absolute monarch. It will be adduced as evidence, that monarchies are necessary, and that the doctrine of republics is an impracticable theory. ABSOLUTISM is the dread of mankind in every settled state of society, and if it can not be avoided in a republic, men will fly back to monarchy. They can not always be deceived by a name. Freedom and repose are the two great objects of the masses; and when they discover, that

both are wanting, where both were promised, they will begin to look and strive to better their condition.

It can not but have been observed, that no small fraction of the people of the United States have already shown symptoms of doubt and discouragement, as to the probable and ultimate success of democratic institutions, in view of the facts embodied in this portion of the history of the country. The unyielding firmness with which Mr. Clay has held on to the democracy with which he started in life, the labors he has gone through, the risks he has encountered, and the sacrifices he has made, to defend it, against the encroachments of regal power, have been fully set forth in this work, and can hardly fail to be seen and appreciated. That he has had his increasing anxieties on this subject, is often betrayed, not unfrequently expressed, in his speeches, and in the history that has been given. That this concern has been more profound, and more oppressive to his feelings, than has been obvious, may be and not unlikely is true. So long as faith in American democratic institutions could be felt, it was the part of wisdom and patriotism to evince it, even in the midst of such causes of disturbing apprehension.

Among the heresies applied to the practical operation of the government, by General Jackson, tending to monarchy, was the assumption, that the executive has a full co-ordinate power and responsibility in legislation, and may put his own interpretation on the will of the people as his constituency, in deciding upon the laws he may think best for them. On this principle, the executive may assume all power of legislation with the aid of the veto. This assumption is not simply a paradox in a democratic state, but an absurdity in the light of a just interpretation of the constitution, which manifestly erected the two branches of the executive and the legislature for the separate functions indicated by their names. When law-making is vested in the executive, or usurped by it, that is a pure and simple monarchy, and utterly inconsistent with a democratic government. When it is used, in violation of constitutional authority, it is naked usurpation, and tends to despotism—may be despotism in the very first stage—that, however, depends on the degree and the intention. It is, in all cases, a demolition of the only opposing barrier to despotism.

It is manifest, that the constitution of the United States intended to keep each branch of the government within the orbits indicated by their respective denominations—one to make, one to execute.

and the other to judge the laws; and when either transcends its sphere, it is out of place, and must necessarily produce derangement in the system. In a democracy, the prerogatives of the popular branch can not be held too sacred, or guarded with too much jealousy.

That the people of the United States will be disappointed, when they come to reflect upon the operation of their government, in the recent stages of its history, is extremely probable, if not certain. They have hitherto supposed they were living under a DEMOCRACY; but the simple and naked facts, that the policy and leading measures of the country, for the best part of an age, have been controlled by the will of one man, for the time being, and that the democratic power of the constitution has been gradually yielding to the forcible encroachments of the regal power, till the latter has become bold by impunity, arrogant in its pretensions, and not unfrequently absolute and tyrannical, can not long be concealed.

The public history of Henry Clay involves the political history of the country, not only in general, but especially in the light now under consideration. It is seen, all along, that when the regal power of the constitution began to shoot from its orbit, and invade the democratic prerogatives, Mr. Clay displayed his shield, and never laid it aside; that he took his station on the democratic platform; that in defence of the popular branch of the government, and in vindication of its constitutional rights, he opposed these regal pretensions with vigilance, constancy, and resolute determination; that his notes of warning never ceased; and that, before he retired from public life, instructed by the experience of the past and the omens of the future, he proposed a plan of reform in the organic and fundamental law, to restrict and limit the regal, and to recover and maintain the democratic power of the constitution.

But, important as this resistance of unauthorized regal power may seem, and in fact is, it is yet one of the more inconsiderable functions discharged by Mr. Clay in his public career as a statesman, in respect to his actual influence on that current of affairs which constitutes political history. Though his plan of public policy has been, at one time marred, at another thwarted, and at another interrupted by opposition, it will yet be found, that his persistance from the beginning in one uniform course, aided by his great talents, has not only left the impress of his mind on all the

great measures of the country, and on the people, but that, in spite of all opposition, he has succeeded in establishing, with a prospect of permanence, in its most substantial parts, that AMERICAN SYSTEM, which he originated and organized, and which comprehends all the great, with all minor and private interests of the country. Several times it has been on the verge of destruction; often have its foundations been shaken by the attacks and partial success of its foes; it has never even yet been allowed a complete and fair experiment; but the untiring perseverance of its author has given the nation such a taste of its blessings, that, in every time of trouble, when it is put back and depressed, the people hanker and call out for it, and are not likely to be satisfied without it. To have succeeded in making such a great and lasting impression on the American mind, under such disadvantages, is sufficient evidence of the superior powers of the man, and of his indomitable moral courage; and to have persevered in this mighty task, at every personal risk, and with constant sacrifice of personal advantage, evinces a patriotism rarely to be found.

The development, and—so far as it has been achieved—the establishment, of the protective policy, is the great triumph, and is destined to be the unfading glory of Mr. Clay's public life.

It has been seen, in the progress of this work, that the great obstacle, which this policy has had to contend with, is the common impression, the false assumption, and the alleged fact, that protective duties are a TAX. This removed, there can not be a solitary objection in any quarter; and it is singular, that so large a portion of the public mind of the country, should have remained so long under this delusion. It originated, doubtless, in the deceptive technicalities of political science; and these apparent admissions, that duties are parts of prices, have been seized upon, to sustain a false doctrine.

That protective duties can not possibly be a tax to the country, as a whole, and that an adequate protective system is a positive relief and saving to the country, of about fifty per cent. on the aggregate cost of the articles protected, it is hoped, has been made sufficiently clear in this work. The only remaining question, which may perhaps for a while embarrass some minds, is, whether any parties whatsoever—whether any sectional or local interests, or the interests of any classes or persons, in the wide community—are injured by the protective policy; and whether they are not all necessarily benefited in some degree, though not perhaps equally?

It may with confidence be affirmed, that no party in the country, comprehensive or single, embracing sectional or private interests can be injured, and that each and all must necessarily be benefited. Such an immense saving to the country, as is secured by an adequate protective system, is constantly distributing its round of benefits to all parties in the community, in innumerable forms and ways. It has been shown, that the aggregate of losses to the country, since the adoption of the constitution, for want of an adequate protective system, can not be less than the largest fraction, or more than half, of a billion of dollars, weighed in the scales! What could not the country have accomplished, with half a billion of money, more than it has had, distributed through this period, and applied to the most productive purposes! One hundred millions of cash is about enough for the uses of the country at any time, in existing circumstances. What would not five times this sum, to which the country was justly entitled, and which it has lost for ever, have produced in the progress of half a century, distributed and used by fractions in the successive stages of this period, multiplying its products in manifold forms, in the practical concerns of life, as all active capital does? It is scarcely possible to estimate what the country would have been, or what it may yet be, under an adequate protective system. None of the commercial revulsions, with their immense ruin, which the country has so often experienced, would have occurred, for that would have been impossible; nor, on the same condition, would they ever again occur, as, for the same reason, it would be impossible. Neither a private person, nor a nation, with a steady income, can ever fail; and the income of a man, or a nation, depends alike on the prudence and foresight with which the interests of the parties are watched and protected.

But the disturbing question, whether the benefits of the protective policy are equally distributed, will still be agitated. If all are benefited, that is enough for its vindication. No state of society will bring equal benefits to all, even when it opens to all equal chances; because all are not equally industrious and frugal. "Monopoly" has been the watchword of demagogues, in their denunciations of the policy of protection. But every practical man knows, that if great profits in any specific business, open for competition, are realized at a given time, capital immediately rushes in, and in a short time, reduces those profits to a reasonable standard. This is the invariable consequence of such a fact. Nor

in the meantime, is any party injured—certainly not laborers and operatives, who, by this means, are more sure of employment and high wages. The reason of large profits and large dividends, is not usually, scarcely ever, the result of high prices of the products, in the case of manufactures; but prices will naturally be reduced, as soon as new investments of capital, thus invited, shall augment the supply, by increasing competition. Large profits in any specific business, under protection, are necessarily transient, as competition will soon reduce them; and at the same time reduce the prices of the products. So long as prices are cheapened by protection, nobody has a right to complain of the profits made by producers. They can themselves go into the business, and share the profits, if they please; or, if they have nothing but the capital of labor to invest, these profits are sure to give it employment and reward. Labor capital, under the American manufacturing system, can easily clear an average profit of fifty per cent. on wages as the investment, which is many times more than the usual profits of moneyed capital in the best investments. Surely, the laborer will not complain, that he was not born rich, and require those who happen to be rich, or who have acquired riches by industry and frugality, to divide with him, so long as the capital of the rich gives him wages, on which he can save half, and himself become rich. The prices of labor in the manufacturing and mechanic arts are usually higher than in other callings, and in that way sustain and raise the prices of all other kinds of labor. It is impossible that labor should not be benefited by the protective policy, so long as the articles protected and necessary to the subsistence and comfort of laborers, are not raised, but cheapened. It might be benefited, even if the articles consumed by laborers were raised, if their wages are raised in the same proportion. But it is unnecessary to argue this point, as it has been proved, that the prices of protected articles, when protection is not prohibitory, are cheapened by a wider range of competition, or which is the same thing, by the law of supply and demand. Even when protection amounts to prohibition, home competition, after a short season, brings the prices far below what is usually demanded by foreign factors having the monopoly. Admitting that, in some few instances, and in a small degree, the prices of protected articles may be enhanced by protection—as is perhaps the fact, though even that may be questioned—nevertheless, it can easily be shown, and is a fair deduction from the facts and reasonings of this work, that no party or

person can be found in the United States, having interests vested in capital or labor, who is not, on the whole, essentially and greatly benefited by a protective system, and whose chances of acquiring wealth, and realizing happiness, are not greatly augmented thereby; and none are so much benefited as the laboring classes; and if each several party is benefited, how much more the whole community?

The great opposition to the protective policy in the United States, has arisen from the southern planting interest. But Mr. Clay, "a Southern Planter," and many others, have proved conclusively, that this policy is equally important to the south as to the north. "A Southern Planter" has apparently shown, that cotton can never be brought around the cape of Good Hope, so cheap as can be afforded by the American planter; it is proved by Mr. Clay, is indeed self-evident, that two markets are better than one; it was also shown by Mr. Clay in 1832, that not more than five hundredths of the raw American cotton, purchased by British manufacturers, returns to the United States, in a manufactured form, which proportion must have been constantly diminishing since that time; it is proved, that the British manufacturers can not possibly do without this ninety-five hundredths, or more, to supply their market in other parts of the world; it is established, that the American cotton-factories now use up about one fourth of the American product of raw cotton, and that this consumption is constantly increasing in amount; it is already settled, that the competition of American manufacturers of cotton, with British manufacturers, in the markets of the world, has compelled the British parliament to abolish duties on raw cotton, to protect British manufacturers; all which shows, first, that British manufacturers can not subsist without American cotton; and next, that the demand for the raw material has been greatly enhanced, and the prices sustained, by the American protective policy. What, then, becomes of the argument of the southern opponents of the protective system? It is annihilated. No part of the country is more interested in the protective policy, than they are—and no part is so much benefited by it. They pay a greater price for nothing, and buy everything which they consume cheaper. They have two markets for one open to their own products, and get a better price for all they have to sell. England can not subsist a day without their raw material, and by the American protective system, the demand for it is constantly widening and increasing.

The advantages and profit of the system, to all parties, and to

the whole country, being decided, the most potent of all considerations demanding it, is that which has been stated and explained in chapter xii. of this volume, regarding the relative position of European capital and labor, as producing powers, to American capital and labor acting in the same capacity, in respect to the influence which these two agencies have on the rights of man and political freedom throughout the world. It has been seen, that the united cost of European capital and labor, the former at 67 and the latter at 33, is not more than half the united cost of American capital and labor at 100 each. This, as near as can be ascertained, is the difference between the two. Hence 3 per cent. for the use of European capital, is as good as 6 per cent. for the use of American. Some, at first sight, might think this is absurd. It is nevertheless true. Labor is the producer of all wealth; and where it costs 33, as in Europe, it is obvious, that its avails can be afforded at a less price than when it costs 100, as in the United States.

If it should be said, this proves that Americans can obtain the products of manufacture from Europe cheaper than at home, it is not true, because, as has been shown in this work, all those products, before exportation, are taxed by European governments, in various forms, up to an average of fifty per cent. on the cost to the American consumer, which he has to pay—all which is saved by home manufacture, and distributed among all classes—and what is most important, it is saved to the country. This is the reason why the prices of labor in the United States are sustained, and why money capital is worth so much more, at the same time that the prices of protected articles are kept down. The country and the people are saved from a tax of fifty per cent., that would otherwise be imposed by foreign governments, and from being impoverished by drafts on their money by this cause. This saving is so much more capital at home, that employs labor, and enters into all the business departments of life.

If it should be said, that, since American capital is worth so much more than European capital, the latter ought to come and would come here for employment, the answer is, first, that money never flows into a quarter whence money is due; next, it does not naturally go where credit is bad, and where repudiation is practised; thirdly, it is well known, that all European capitalists, when they felt safe, have always sought American investments and the reason is, because money is worth more in America.

It has been suggested, that the reason of this difference between the prices of European capital and labor, and American capital and labor, is to be found in the different states of political society in these two quarters—one being despotic and the other free, and that the high value of American capital and labor is indissolubly connected with freedom. This is the fact which imparts momentous importance to the protective policy in the United States, because it is one and the same thing as protection to freedom. Break down the protective system, and down comes the value of every species of property, down the high value of money, down the wages of labor, and up the prices of all the articles which, having been, but being no longer protected, will be supplied by the cheap labor, but burdened with the high taxes of Europe and other foreign parts. The money of the country will go off to pay for them, the spirits of the people will be broken, and reduced to an humiliation fit only for slavery—IT WILL BE SLAVERY. Americans can not work at the low wages of Europe, and retain their freedom. It is impossible. But without the protective system, wages would inevitably be reduced to that standard—as certainly as water seeks a level. An American system and American freedom are bound together, and can not be divorced. If the former falls, the latter falls with it.

This doctrine of political economy, regarding the relations and indissoluble connexion between the protective policy and freedom, as advanced in this work, asserts no other pretension than the slight merit, if it be even so much as that, of an endeavor to render palpable an indistinct notion which has long existed in the American mind, and which has been frequently shadowed forth by American politicians, economists, and statesmen. The author was no doubt indebted to these hints for his own conceptions on the subject, and for the result at which he has arrived. The experience of the United States could not have failed to give birth to this doctrine. It is distinctly presented, in a more palpable form, perhaps, than will be found anywhere else, in an extract from one of President Monroe's messages, chapter xi., page 292, of this volume, which reads as follows:—

"Satisfied am I, whatever may be the *abstract* doctrine in favor of *unrestricted commerce* [free trade], *provided all nations would concur in it*, and it was not liable to be interrupted by war—which has never occurred, and can not be expected—that there are *other* strong reasons applicable to our situation *and relations with other*

countries, which *impose* on us the obligation to cherish and sustain our manufactures."

As a matter of fact, the author did not observe this coincidence of opinion, in this particular instance, till he had written all that he has presented on the subject. But it will have been seen, that he does not claim to be the originator of this idea, but that he takes it as he finds it in the common mind. The pride of originating a new and valuable idea, could not be more gratifying to him than to be found in good company at the end of an independent course of thinking. He is pleased to observe, that Mr. Monroe has expressed himself in almost precisely the same terms. He clearly revealed the doctrine in the shape of a hint—of an incidental remark. It will be noticed, that he expresses himself with great confidence—that he seems to have had a deep and profound conviction of the truth thus incidentally announced. "Satisfied I am," &c. It is not easy to present the doctrine more fully, or in a more naked form, than Mr. Monroe has done in this single sentence. It is imperfect only in not defining the relations of things which illustrate the doctrine. That is rather the task of a political economist, than of a statesman in an official paper.

It is clear, first, that Mr. Monroe throws to the winds, "the abstract doctrine" of free trade, "though all nations would concur in it," as inapplicable to the United States. Next, he is "satisfied, that there are *other* strong reasons applicable to our *situation and relations* with *other* countries, which *impose* on us," &c. Mr. Monroe was manifestly "satisfied," as he expresses himself, that there was something *peculiar* "in our situation and relations with other countries," which ought to keep the United States out of the pale of a fraternity of all nations, associated on the platform of free trade, even if such a compact could be effected—which, however, he very justly represents as impracticable. It only remains to determine what that peculiarity is. It is several times presented in this work, in different forms, as consisting *in the relation of labor to power*. Labor in Europe, and in many other parts, is the mere *agent* of power; in the United States, and wherever freedom reigns, labor and power are identical. It is attempted to be shown in this work, that, unless American labor is continuously, under all circumstances, and in any event, protected against the pauper labor of Europe and other parts of the world, where it is not free, but employed as the agent of power, American freedom

will be lost—that protection and freedom are bound together, and can not be separated.

The peculiarity, therefore, that is sought for, is nothing more or less than the right and duty of American labor to protect itself against that power in Europe or anywhere else, which employs labor as an agent—including as a part of this peculiarity, the relative situation of these parties. The two parties in conflict, and which must for ever be in conflict, so long as freedom is in one place and slavery in another, are the labor of American freemen, on the one hand, and European and other powers, on the other, which have reduced labor to a state of bondage, and use it as an agent of their will. The moment that free trade is opened between these parties, the rights of American labor will be invaded, and will inevitably fall into the power of those who, in other parts of the world, hold labor in a state of bondage; and the end of the contest must be, that American labor will be reduced to the same state—that is, a condition of bare subsistence, and that not very tolerable. It is impossible, in the nature of commercial transactions, that labor which realizes a fair compensation—it is never fair when there is no alternative left—should come into competition on the basis of free trade, with forced labor, which has no alternative, on wages differing as widely as 100 for the former and 33 for the latter, without falling a victim to those who retain the latter in such a forced service. Hence the necessity of protection for ever for freedom against despotism. The essence of political freedom is that state of society which secures to the industrious and laboring classes a fair reward for their toil. It is not usually the rich in any country that are oppressed, or that ask for a greater amount of freedom. It is the toiling millions.

It is remarkable, that a system of policy opposed to protection, so utterly subversive of freedom—of the rights of the masses—should have gained such favor in the United States, under the authority of one man (General Jackson), and that the policy advocated by Mr. Clay, which alone secures the rights of labor, should have had to encounter such adverse storms, should have been forced through a thousand perils, and nearly wrecked, by this opposing influence! The gallant ship, however, still rides the waves, though it can not be said, there are no breakers ahead.

If the system of protection advocated by Mr. Clay, had been early established, and never disturbed, it is impossible to estimate

the wealth and happiness it would have produced in the United States and among all industrious and frugal classes. Allowing that the whole country has lost a billion of money in fifty years for want of it—this, probably, is not a high statement, all things considered—it is scarcely a beginning in the reckoning of the entire loss. To this must be added the producing power of such a capital, in the hands of an enterprising people, distributed among them, and profitably employed, along the line of half a century. The reproduction can not be counted. Then come the negative considerations, in the effects of embarrassments for want of such capital, and in the stupendous results of frequent periods of general bankruptcy. Who can estimate this part of the account? As poverty cripples a man, so does it cripple a nation. It has been shown in this work, that, under an adequate and uniform protective system, well sustained, it is impossible that a time of general commercial distress and bankruptcy should ever occur—equally impossible, as that a private individual, with an annual income always exceeding his expenditures, should become insolvent, and for the same reason. What, then, would not the United States have been in wealth and greatness, and what would not the people have been in prosperity and happiness, under such a system, without interruption for fifty years past?

These reflections, well founded as they doubtless are, suggest, with great force, the tremendous responsibility of those who have stood in the way of this prosperity, who have fought against and obstructed this system, who have prevented its establishment, who have broken it down when it has been partly set up, who have brought distress on a great nation, who have done everything they could to make that distress perpetual, and who still aim, by such means, to destroy the well-being of so great a commonwealth!

In regard to the critical condition of the country in 1833, from which it was rescued by the passage of Mr. Clay's compromise bill, there is an important item of evidence, omitted in the proper place, showing how narrow was the escape from civil war, or from troubles of the most serious kind, which were averted by Mr. Clay's measure. All, it seems, depended on the firmness of the Hon. Hugh Lawson White, the president of the senate pro tempore, who refused to yield to the dictation of General Jackson, in the appointment of the committee on Mr. Clay's bill. The impropriety of this interference with the business and duties of another branch of the government, will be sufficiently obvious;

but it was nothing strange under that regime. The facts are disclosed in the note below.*

The main cause of General Jackson's power and influence, as suggested in this work, if true, is a feature of history of no small importance. As the result of the success of the conspiracy carried on against Mr. Clay, to wit, a general impression and belief among the people of the United States, that General Jackson was wronged, it is proved, that it was not vice in the people, but vice in those who deceived them. The people were actuated by the most generous and praiseworthy feelings. That this power and influence could not have been the sole effect of military fame and force of personal character, has been shown from the fact, that these two causes had been operating for ten years after the victory of New Orleans, without any remarkable and decided effect—noth-

* TESTIMONY OF THE HON. HUGH LAWSON WHITE, BEFORE A COMMITTEE OF THE HOUSE OF REPRESENTATIVES, FEB. 13, 1837, ON OATH—(EXTRACT).

"Mr. Clay introduced what is commonly called the Compromise bill, and upon its second reading it had been referred to a select committee, composed of seven members. This committee it was my duty as presiding officer" (of the senate) "to appoint. Before the members of it were named, I received a note from the president, requesting me to go to his house, as he wished to see me. I returned the answer that while the senate was in session it was out of my power to go; but that, as soon as it adjourned, I would call on him. I felt the high responsibility which rested on me in appointing the committee. The fate of the bill, in a great measure, depended on it; and if the bill failed, we would probably be involved in a most painful conflict. I endeavored to make the best selection I could, by taking some tariff men, some anti-tariff, one nullifier, and Mr. Clay himself—hoping, that, if a majority of a committee, in which all interests and views were represented, could agree on anything, it was likely it would pass. Taking these principles as my guide, I wrote down the names of seven members, Mr. Clayton, of Delaware, being one; and immediately before we adjourned, handed the names to the secretary, with directions to put them on the journal, and in the course of the evening waited on the president. Soon after we met, he mentioned, that he wished to see me on the subject of appointing a committee on Mr. Clay's bill, to ask that Mr. Clayton might not be put on it, as he was hostile to the administration, and unfriendly to Mr. McLane" (secretary of the treasury, who had given the project of a bill, commonly called "Verplanck's bill"). "He feared he would use his endeavor to have a preference given to Mr. Clay's bill over that of the secretary of the treasury, or words to that effect. I observed in answer, that it would always give me pleasure to conform to the wishes of my political friends, whenever I could do so with propriety; but that the treasury bill had been so altered and mangled, and that, as I understood, in a good degree by the votes of his own party, that it had but few friends; that we seemed to be on the eve of a civil war, and that for the sake of averting such a calamity, I would further all in my power any measure, come from whom it might, which would give peace to the country, and that any bill, having that for its object, was esteemed by me a measure above party, and any man who was the author of it, was welcome to all the credit he could gain by it. But, at all events, it was too late to talk on the subject, as I had handed the names of the committee to the secretary before we adjourned; and that, as I had a very high opinion of Mr. Clayton's talents and liberal feelings, I had put him on the committee, without knowing he was personally unkind to the secretary of the treasury. He (the president) then asked me, if I could not see the secretary of the senate that evening, and substitute some other name for Mr. Clayton's, before the journal was made up. I told him I could not—in my judgment it would be wrong. And there the interview terminated."

ing more than may generously be supposed to have been due to merit. The presidential campaign of 1824—General Jackson being in the field as a candidate—passed over without any of that popular enthusiasm in his favor which was manifested in the campaigns of 1828 and 1832. It was not till the people believed that General Jackson had been wronged in being rejected by the house of representatives in 1825—and wronged as alleged by "bargain and intrigue"—that they came to his support with such overwhelming power. And they continued to support him under the same impression, to the end of his administration of eight years. This belief was incorporated with and controlled the machinery of the general mind. It has never been but very partially, and never will be thoroughly, eradicated from the mind of the generation which so deeply imbibed the feeling, and for so many years acted under its influence. The conspiracy was completely successful, and the people acted all the while from the most praiseworthy motives.

This presents the history of the country, for the last twenty years, in a very different light from that in which it has generally stood. So far as that it proves, that the feelings of a free people are susceptible of being led astray, and of being practised upon to their injury, to the peril of freedom itself, it may be too true, not to be a just subject of concern. But it may be hoped, that the instances in future history will be rare, when such a stupendous conspiracy will find means of being carried out with success. The virtue of the people, at least, in the midst of all these misfortunes, stands thoroughly acquitted. They *believed* that General Jackson was wronged, and that is the solution of the problem. That party leaders became interested in keeping up this deception, that they are yet so interested, and will be so for some time to come, is undoubtedly true. Nevertheless, the people were honest, and they are generally so. There must be a time for the reaction of truth. Twenty years have elapsed, and not a particle of evidence has ever been adduced in support of the charges against Mr. Clay by General Jackson and his friends, notwithstanding all that time has been diligently employed for that purpose. All the witnesses to the fact or facts alleged against Mr. Clay, were in the house of representatives when Mr. Adams was elected in 1825. Every member of that body, indeed, was a witness, and every friend of General Jackson was interested in the issue. And yet, not one of the latter class has ever been brought forward as a witness, except Mr.

Buchanan! The position which he occupies in this affair, it is supposed, has been pretty well determined! It has been seen, that the last effort to sustain this charge, made by the Hon. Linn Boyd, on the floor of the house of representatives, in 1844, ended in the acquittal of Mr. Clay, by the confession of the accusing party!

But time and events have placed this whole matter in new and clear light. It seems it does not end with the acquittal of Mr. Clay. The very unexpected result has transpired, that the accusing party were themselves guilty of the crime they alleged against the accused! If, now that they are put on their defence—that is their position—after having, in a laborious effort of twenty years, exhausted the entire range of evidence, such as they sought for, they should, in desperation, attempt to bring forward any new facts, it will be a just mark of suspicion. They are apparently compelled to defend on the old ground of debate, or surrender. If they should say, that one side is as well entitled to present new facts, as the other, the answer is, that they are not convicted by new facts, but by their own evidence, and by the disclosure of some of their own transactions, which had been suppressed at their own request, and from magnanimity to themselves.

Mr. Clay now stands forth before the world as the INNOCENT AND INJURED MAN. That his acquittal should involve those who have attempted to injure him, in fault, is a result of which they can not justly complain. It is undoubtedly true, that Mr. Clay, after this investigation, will stand precisely where he did before, in the esteem and respect of all those who were possessed of competent information to decide this complicated question, or who were capable of seeing the moral impossibility of the truth of the charge alleged against him. But it is believed, that the whole case is now brought under the eye of every one, who may take the trouble of looking at it, in a manner to qualify the plainest man for a decision. All are interested in the triumph of truth and justice. In this matter, the whole nation is profoundly interested. The world is interested in an injustice done to one of its shining lights. Posterity, remote ages to come, will be interested.

Great as have been the effects on the interests of the United States, involved in the question, whether General Jackson or Mr. Clay was the injured man, they are not greater than, they are not even equal in importance to, those which are still pending on the decision of the same question. The virtue of the people, as admit-

ed—it is believed to have been the cause of the first and long-continued result—originally enlisted impetuously in its sympathies with the accusing party. It remains to be determined, whether intelligence and virtue united, will come to a right conclusion on the evidences of this case. The question undoubtedly presents one of the most important features in the political history of the United States, past, present, and future.

The uses that have been made of the executive veto, and of the appointing power, since the commencement of the Jackson regime, are just subjects of profound concern with every American patriot. It is impossible that a free people should be too vigilant of their rights. The tendency of power is always to usurpation, and never, perhaps, was that tendency more strikingly manifested, than in the short history of the United States. When changes steal into the administration of the government, involving radical, fundamental, or revolutionary principles, hostile to the original intentions of those who founded the government, such facts can not safely be overlooked, or suffered to pass without remonstrance. Mr. Calhoun, while speaking on the protest of General Jackson sent to the senate in 1834, against the censure of that body on the removal of the deposites, said, that whenever the senate allowed the frontier of their rights to be passed by an assailant, they were more than half conquered. It is the same with a nation, and the people of the United States have long exhibited the melancholy spectacle of being more than half conquered. Executive vetoes, never authorized by the spirit, however they may have been by the letter, of the constitution, have been showered upon them, as freely as stones in a hail-storm. It is a regal prerogative, and not a monarch in Europe would sit safe on his throne, that should use it so arbitrarily, as it has been used in the United States. It is fatal to democratic authority and influence.

The arrogation of the treaty-making power by the executive, to originate and negotiate such international arrangements, independent of the co-ordinate authority of the senate, is a feature of the practical operation of the government of the United States, never contemplated, either by the framers of the constitution or by the people, and never practised in the early days of the republic. It has been a gradual appropriation of power by the executive, which belonged equally to another branch of the government. The president's control over executive appointments has become absolute, and the senate, co-equal in constitutional power as to this matter,

is a mere cipher. The custom of controlling legislation by the executive branch, in announcing beforehand what measures will and will not be sanctioned by that department, appears to have originated with Mr. Monroe in his first annual message to Congress, touching internal improvements. It can not be supposed from the general character of Mr. Monroe, that he was willing to do a thing that was improper, or that he could have been aware of the evil that might grow out of his example. Mr. Clay, as has been seen in this work, protested against it at once, not from disrespect to or in censure of the president, but from principle. What he apprehended came like a flood upon the country in after-time, till the balance-power of the constitution, in this and in other particulars, was entirely destroyed. The veto power, as appears from history contemporaneous with the origin of the constitution, was never designed to affect legislation any further than to protect the executive from the encroachments of the legislative branch, which at that time were very groundlessly apprehended. There has never been a single occasion of its use for that purpose. In every case of the exercise of this power, therefore, it has been employed for a purpose not intended by the authority under which it was wielded. But so long as that power is in the constitution, and so long as high precedent has sanctioned its use, it was quite sufficient as a dormant and discretionary prerogative, without parading it beforehand *in terrorem* over the heads of the legislative branch, in official communications to that body, to abridge their liberty, destroy their independence, and circumscribe their action. There is no apology even in the defence that it was to save trouble. The constitution would never justify the discharge of such a function, for such a reason; but it presupposed, that the executive was as much bound to weigh the reasons that might be offered in the debates of Congress for any pending measure, as that it would be incumbent on Congress to consider his objections on the return of a bill to which he might see fit to refuse his assent. There is, to say the least, no equality of right, but in this fair balancing of opinion. But for the executive to decide a question for the legislature beforehand, is not simply an impropriety, but a violence to the constitutional relations of the two parties, and cutting off all debate. It is, so far, a destruction of freedom.

It is obvious, therefore, that the history of the government of the United States, since its formation, establishes the fact, that the regal power of the constitution has been gradually encroaching on

the rights of the democratic branch, till it has absorbed so much of the latter as to destroy the balance-power that was intended by the constitution to be secured to the legislature—to wit, the rights of Congress in the joint authority of both houses, and the co-ordinate rights of the senate as to the executive functions which the constitution had intrusted to their hands. The frontier has been passed, and the nation is more than half conquered, on the principle set forth by Mr. Calhoun, in his argument against General Jackson's protest.

The disappointment occasioned by the defection and perfidy of Mr. Tyler, has led many to feel and to say, that the political revolution of 1840 was lost to the country. This is a hasty conclusion. That much—that the main design of reform and of re-establishing the policy under which the country had prospered—was lost, is true. But all was not lost. The twenty-seventh Congress, notwithstanding the opposition of the acting president, accomplished much, as has been shown. It were enough to say of them, that they enacted the tariff of 1842.

But the most important effect of that change—the change itself was the effect—was the entire breaking up of the Jackson regime. That the fragments should remain, again to rally and cohere, under new modifications, as in 1844, was to be expected, as the effect of former association and discipline. But the Jackson regime was dissolved for ever in 1840. It was not till after a long period, and a vast amount of suffering, that the people were thoroughly convinced of the errors—of the positive vices of that state of things. The great conspiracy exposed in the first volume of this work, had, by its success, taken the public mind captive, and held it spell-bound for the half of a generation. It was only by suffering, long protracted and intolerable, that the charm was broken. But when it did give way, it burst like the barriers of an overwhelming flood, having stood up to the last moment of possible resistance. It was then overborne, and left a wreck never to be repaired. What other forms of force and power those scattered elements may assume, and what may be their destiny, is a problem yet to be solved. That they did rally with success in 1844, is but too well known. But though charged with a like spirit, it is not the same thing, and never can be. If it is destined to maintain its ascendency, it may do worse, or it may do better, or it may not be able to do so much hurt. It is now hardly possible for it to break down the protective policy, which is the great interest of the

country, without breaking down itself. That it will try, appears to be evident. But some great diversion, such as involving the nation in war, presents one of its best chances, of which it seems to be aware. There is perhaps some danger, that it will succeed in this. The Oregon question will be made the issue of the presidential campaign of 1848, if it is not so managed as to breed war before; and they who now have that question in charge, on the part of the United States, know very well, that all they have to do, is to keep their opponents employed in asserting British rights, and vindicating British claims! It might naturally be supposed, that the British government is competent to take care of its own rights.

But it will probably be discovered before long, that Mr. Clay presented the great principles of the Oregon question twenty years ago, in his letter of instructions to the representatives from the United States to the Panama congress, marked the boundary line of the United States on the north to the Pacific, and proclaimed to all European nations, hitherto may ye come, but no further! The colonization question is there thoroughly discussed, and the conclusion arrived at, that the time had then passed, and could not arrive again, when the American states, north or south, should tolerate the further establishment of European colonies in North or South America. This question was apparently determined on the recognised principles of public law. It was maintained, that it would be equally proper for American states to plant colonies in Europe, as for European states to establish any more colonies in America. This was the ground taken by Mr. J. Q. Adams' administration, through the agency of Mr. Clay, as secretary of state, in the official documents on the subject, the reasonings of which are clear, and apparently incontrovertible, and the conclusion seems to be distinct and impregnable. The Oregon question was then determined, so far as that species of argument is entitled to influence. Among Americans there can hardly be much difference of opinion about the right of the United States to Oregon, as defined by Mr. Clay (See vol. i., p. 139). The only question is, whether it is best to go to fighting for it unnecessarily and unseasonably If this administration pugnacity be indeed a political device to retain power, and war is to be the consequence, it is melancholy to think, that a nation is liable to be plunged into such a hazard. for such an object!

There is a point of great importance which seems to be proved

by the "Southern Planter," in chapter x. of this volume, which can not fail, if correct, to have great influence. It is, that cotton can be grown in the United States "at a living profit," as he calls it, for three cents a pound; and from sundry apparently valid, statistical calculations and facts, he arrives at the result, that American planters can command the market of the world in the supply of the raw material, against all possible competition, from around the cape of Good Hope, or elsewhere. It appears also to be shown by him, that British and other European manufacturers of cotton, are obliged to purchase the raw material from American planters, or lose their markets—that they can not possibly avoid it. These and other points, which seem to be established by him, have not only undermined, and completely overthrown all the objections which have heretofore been made from the south, and especially from the planting interest, against a protective tariff, but they have also proved, that no interests of the Union, north or south, east or west, are so much benefited by protection, as the southern planting interests. This, as will be seen, agrees with the doctrine of Mr. Clay, and of this work. This light seems to be shedding its rays on the south like a flood. A convention of *one hundred and four* cotton-planters in Mississippi—the greatest cotton growing state in the Union—held in 1845, published a manifesto, of which some statements in the note below, are extracts.*

* They say: "They are in favor of such a tariff as that of 1842, because it affords, as they believe, adequate protection to all kinds of domestic labor, and renders us independent not only in name but in fact.

"Because they believe it will induce at the north large investments of capital and the employment of a large number of laborers in the manufacture of cotton goods; that it will extend the consumption of manufactured articles, and thereby increase the demand for the raw material; that it will give the growers of cotton two markets instead of one, and one of those a home market.

"Because it protects indirectly the growers of small grain, and gives them a home market.

"Because it protects indirectly the hemp-growers and gives them a home market, and keeps the large amount of capital and labor now invested in that business from being employed in extending the culture of cotton.

"Because it protects indirectly the breeders of hogs, of horses, of mules, and gives them a home market.

"Because it protects the producer of sugar, gives him a home market, and prevents the vast amount of capital and of labor invested in the culture of cane from being directed to the already redundant production of cotton.

"Because they believe that all experience proves that its ultimate tendency is to reduce the price of manufactured goods, and thereby benefit consumers of all classes.

"Because they believe that no one great interest of the country can be adequately protected, without in some degree extending protection to all other interests, and that none derive more essential benefit from the general prosperity of other pursuits than the cotton-grower.

"But, above all, they are in favor of such a tariff as that of 1842, because they believe the interests of the manufacturers of cotton goods at the north to be identified with the interests of the grower of cotton at the south; and that as strength

It will be seen, that the statements of this convention of Mississippi cotton-planters fully sustain the doctrine, all the averments, and all the facts of this work, regarding the protective policy, except they do not approach the question of the necessity of perpetual protection in the United States, though all other nations should consent to free trade. But they have said enough. They have come out honestly, boldly, and fully, in support of the protective policy, in all its extent, on the very ground that has ever been maintained. They even assert the doctrine attempted to be established in this work, that protective duties are not a tax, as has been commonly supposed, but a relief from taxation, by the effect of reducing the prices of the articles protected. There is no point in the doctrine of the protective policy, which is not comprehended or suggested in their statements.

The publication of the work of "A Southern Planter," in 1844, was a surprise. This manifesto of a convention of Mississippi cotton-planters, is also a surprise. It demonstrates the rapidity with which light is opening on the south. Who will not be astonished, to hear a convention of southern cotton-planters declare their belief, that "the interests of the manufacturers of cotton goods at the north, are identified with the interests of the grower of cotton at the south?" Verily, the protective policy has apparently triumphed in the United States, and it may reasonably be supposed, that the debate on the subject will be of short duration.

Almost simultaneously with the meeting of this convention of Mississippi cotton-planters, a tariff convention was held at Hollidaysburg, Pennsylvania, consisting chiefly of those who voted in that state for Mr. Polk, in 1844, they believing from his letter to John K. Kane, that he was in favor of protection. Mr. Polk, however, might very justly reply to them, that if they did not understand the grammar of language, it was not his fault; that by "*discriminating* duties" he did not mean a leaning *toward* protection, but *from* protection *toward* revenue; that by "incidental protection," he meant such as could not be prevented in obtaining a revenue; and that, if they had taken the trouble to examine his "public acts" (votes and speeches in Congress), and "the public

is added to these two great interests, the one at the north and the other at the south, so will strength be added to the bands which bind this glorious Union together; and they do solemnly believe that if the system of affording adequate protection to American industry be persevered in but for a few years, all the great interests of the country will become so blended and so dependent, one upon another, that all attempts, whether of abolitionists or abstractionists, to destroy our beloved Union, will be laughed to scorn for centuries to come."

discussions in which he had participated" elsewhere, to which he had referred in that letter, they would have had no difficulty in ascertaining his sentiments. But the views of this Pennsylvania tariff convention, are an important feature of the times, the substance of which may be gathered from their own resolutions presented in the note below.*

When the American people shall be asked, who fought and won for them this great battle of the protective policy? Who devoted his life, exhausted his energies, and sacrificed himself, to secure to them such a benefit? Who stepped in between the fires of nullification and the wrath of General Jackson, to quench the one, and muzzle the other? Who saved the protective policy in that perilous hour? Who fought on for ten years more against all the efforts and machinations of the Jackson regime, and in the end saved this policy from utter destruction—till it was incorporated in the act of 1842? Who—who was the man? His name is in their hearts, and on their tongues, and need not be mentioned.

Mr. Clay, of course, had his coadjutors in all these great endeavors—men who stood by and sustained him—men of great talents and worth, whose biographies will tell their own story, and to whose names a comprehensive history of the times will do justice. In a work of this kind, professedly devoted to the history of one man, who has occupied such an eminent position, and filled so large a space in society, there was no room to do anything like justice to his many distinguished contemporaries, not a few of

* "*Resolved*, That the state of Pennsylvania is deeply interested in the maintenance and preservation of the protective policy afforded by the existing revenue tariff.

"*Resolved*, That the people of this state comprehend the value, understand the importance, and are pledged to the support, and can not be seduced into the abandonment or betrayal of *that* policy, which in the brief period of three years has reanimated the almost desponding energies and restored the prostrate credit of this commonwealth.

"*Resolved*, That we are opposed to a horizontal or twenty per cent. *ad valorem* tariff, inasmuch as it neither affords fair, just, nor adequate protection to many of the great interests of the state of Pennsylvania; nor can it afford revenue sufficient to defray the expenses of the government economically administered.

"*Resolved*, That the tariff of 1842 has yielded sufficient revenue to defray the expenses of the government economically administered, and has afforded 'fair and just protection to all the great interests of the whole Union, embracing agriculture, manufactures, the mechanic arts, commerce, and navigation.'

"*Resolved*, That justice and sound policy forbid the federal government to repeal, or in any way materially alter or modify the tariff of 1842, so long as the same yields sufficient revenue to defray the expenses of the government.

"*Resolved*, That this convention, therefore, respectfully demand at the hands of the congress of the Union that general protection which is their inheritance; that the existing system of revenue having fulfilled its great object, it is highly important that the laws on such subjects as the tariff should be permanent in their character, which would be a sure guaranty to the enterprise of the country and the investment of capital."

whom have been at the same time lights and benefactors of their country. Their names and labors are incorporated with the annals of the nation. They were a phalanx of patriots, toiling hand in hand with a leader whom all acknowledged, whose fame is identified with theirs, and in history they can not be dislodged from the places they filled and honored so well.

The public land question is still one of great importance, as connected with the rights and welfare of the states, in their separate capacity. That vast interest is yet afloat, and beat about, in the storms of political controversy. Repeatedly has it been settled by decided majorities of the democratic branch of the government, and as often unsettled by the arrogation of regal power in the executive. Mr Clay's plan, since it was disclosed and understood, has always carried with it a great majority of the people; and yet the will of the people has been thwarted. The most important aspect of this question is its relation to the credit of the indebted states, and to the interests of all the states. The distribution of the proceeds of the public lands is indispensable to the substantial relief of the former class, and essential to the greatest prosperity of all. An adequate protective tariff would easily settle, in a few years, all the state debts as a foreign demand against the people of the United States as a whole, and bring back the bonds, or an equivalent. An annual balance of twenty millions, arising from foreign trade, in favor of the United States, is the smallest income that is fairly due to the amount of American enterprise, industry, toil, hazard, and capital, embarked in it; and that balance, in ten years, would settle all the state debts, as a foreign demand against the whole people of the United States, though it would not, as a matter of course, relieve the indebted states, any further than the country would be relieved—which, indeed, would be a substantial relief. The liquidation of this foreign debt, in this way, would not probably be realized in balancing all these accounts specifically. But so far as the whole country is concerned, it would be the same thing in its effects. In the case of a large family, holding jointly a large estate, with heavy mortgages upon it, owned by creditors without the family circle, it does not matter with the family as a whole, if they have succeeded in lifting those mortgages, and transferring them to some one or more of their own members. Though they still stand in the relation of debtors and creditors to each other, it can no longer be said that they owe anybody out of the family—that the estate is encumbered. This

is precisely the case with the national debt of Great Britain The owners of that stock are not foreigners, but British subjects. As a nation Great Britain is no otherwise poorer on this account, except that she is obliged to tax her people heavily to pay interest money to her own subjects. It may be, and undoubtedly is, a difficult and delicate financial operation to keep this state of things from working evil—at best, it is an evil, as it operates oppressively on the industry, labor, and arts of the empire. Nevertheless, a domestic debt withdraws nothing from the bosom of the state; whereas, a foreign debt of this kind would ruin the kingdom hopelessly. It has also been seen, in this work, that the annual balance of trade in favor of the domestic empire of Great Britain, is sufficient to augment her wealth and strength almost incalculably. Her debt being domestic, and her annual income so great, as the result of her system of protection, so long in use, and so comprehensive, she has become the most formidable political fabric in the world. Her domestic polity is inconsistent with the freedom and happiness of those who do her hard work. It is oppressive. Nor does her foreign policy approximate to justice to other parties. It is expressly designed to make the world tributary to her strength —not a little of which has been acquired by the terms on which she has been permitted to hold commercial intercourse with the United States. She has ever kept them in debt to her, and that debt is now enormous—oppressive—all the result of an inadequate protective system in this quarter.

It is not in place here to repeat the argument before made, to show, that protective duties are not a tax to any party, but a relief from taxation to all parties. It must consequently follow, that a system of protection in the United States, that should bring an annual balance of twenty millions in favor of the country, from its foreign trade—which, as before shown, is no more than a fair compensation for its toils and hazards—would in ten years strike off the balance due to foreign parts, and to that extent add to the wealth and strength of the country.

Nevertheless, the distribution of the proceeds of the public lands among the states, would still be required effectually to relieve the indebted states, and to put all of them in a career of the greatest prosperity. A relief to the country, as a whole, by a fair income from its foreign trade, is due to it—is indispensable—and can no otherwise be realized than by a system of protection adapted to that end. Protection and distribution would be twin helps—the

first for the country comprehending the states, and the latter for the states to render their condition and prospects most desirable. And protection, properly adjusted, as has been shown in this work, would afford ample revenue to the general government, so that it could afford to dispense the proceeds of the public lands among the states, even if it were not their right. It has also been abundantly shown, that protection, not being a tax on any parties, is a relief to all, and consequently, that no remaining objection can be felt or made, when the subject is understood. The only danger —if it can be called a danger—is, that adequate protection will yield a surplus revenue, at the same time that, in its other bearings, it benefits the whole country, and all parties in it.

It has been seen, in the progress of this work, when the subject was up, that CURRENCY is a part of policy necessarily connected with protection; that the very existence of a sound currency depends on an adequate protective system; and that it is impossible, in the nature of things, that there should ever be an unsound currency, when protection is adequate, unless, indeed, it should come from very culpable legislation. It is at least impossible, in such a case, that there should be any lack of money, or specie, in the country; and when that abounds, the currency has never been known to be unsound. As a general rule—there is perhaps no exception—when money is in the country, in such a quantity as a suitable protective system will secure and retain, the currency will very naturally take care of itself, under any tolerably prudent legislation. There may be instances of fraud and mismanagement in banks, as in all commercial transactions. But the failure of a bank from one or the other of these causes, no more affects a general system, than the failure of a merchant disturbs the commercial operations of a great city. A sound system of banking, and a healthful state of commerce, can not be impaired by such local and transient disturbances; and the soundness of a banking system depends on specie as a basis, which can not be maintained, so long as foreign demands are withdrawing specie from the country. And whether specie shall abound or fly away, depends, as has been shown, altogether on the adequacy of a protective system.

The question of a national bank is one of trivial consequence, compared with that of a protective policy. Neither a national bank, nor state banks, can be properly sustained without the latter, for the reasons, first, that specie enough for the business of the

country can not be retained, except by a protective system; and next, because banks can not supply a sound currency without specie. They can not answer the purposes of banking, unless their vaults are always kept open to all just demands. But this can not be maintained with a perpetual balance of trade against the country, which operates directly on bank vaults, to empty them; and which must necessarily be the case, without a protective system. But where the protective policy is so managed—there is no insuperable difficulty—as steadily to maintain a small balance in favor of the country, a sound currency can not become unsound—can neither be deficient, nor embarrassed.

There are those who think that the banking system would be more perfect, and more safe, with a national bank as a balance-power against the state banks; that such a balance is as necessary in the currency as in the political system of the country; and that neither can answer the best purposes without it. The analogy is a strong one, and must have great force with unbiased minds. There is nothing but the want of this balance that could make the state-bank system dubious in its results, under a good protective policy. It is certainly a subject of some concern, that having no check of this kind, they may venture too far, and overtrade in the use of their powers. But an adequate protective system is the surest guaranty against such a result. Mr. Clay has always maintained, that a national bank is simply a question of expediency, and so it undoubtedly is; and he has repeatedly declared, that he would neither desire, nor propose it, unless the people desire it.

One of the great evils of the country has been fickleness of legislation, and an incertitude forced on the prospects of all men of capital, enterprise, and business, as to what they might safely venture upon, for their own and the country's good—for it may generally be assumed, that when capital and enterprise employ labor for a profit to both parties, it is for the good of the country.

In a private letter of Mr. Clay to Judge Brooke, from Washington, January 17, 1833, he says:—

"As to politics, we have no past, no future. After forty-four years of existence under the present constitution, what single principle is fixed? The bank? No. Internal improvements? No. The tariff? No. Who is to interpret the constitution? No. We are as much at sea, as at the day when the constitution went into operation. There is nothing certain, but that the WILL of Andrew Jackson is to govern, and that will fluctuates with the change of every pen that gives expression to it."

If there was despondency in this, there was also much of truth. If, indeed, there had been, previous to that time, 1833, an approximation in the history of the country toward the settlement of any great questions of national policy, everything then seemed to have been unsettled by the cause alluded to in this private epistle. Even the principle of self-protection seemed to have lost its force, and men were half persuaded that it was better to open their doors, and let in thieves and robbers by free trade.

One of the causes of this *unfixedness* brought upon the country by the Jackson regime—more properly, perhaps, one of the *means*—was a successful effort to excite envy, jealousy, and hostility, *between classes*, and to bring that hostility into political action, for the advantage of those who used it as an instrument, and for the ruin of the many who were thus abused. The feeling appealed to, and the principle relied upon, was, "that man who rides in his carriage, has no right to ride in his carriage, and we go on foot." First, it was the bank of the United States; then all banks; then all combinations of capital whatever, associated to accomplish what its separate parts could not do; manufactories; companies of every sort, in which capital was vested to carry out great enterprises;—all those institutions and associations, which supplied the circulating medium of the country, made money plenty and good, employed labor of every kind, at high wages, created a home market for every product of labor, whether employed in agriculture, or in horticulture, or in the manufacturing and mechanic arts, or in commerce, or in the professions, or in the mines, or in the sea, at home or abroad, were represented as enemies of the masses, hostile to labor—*monopolies* that must be broken down; and by breaking them down, the people themselves were broken down. The effect was inevitable from the cause. An attempt was made to revolutionize the habits of the people, and to destroy those relations in the commercial and political machinery of society, which could not be destroyed, without destroying the parties between whom those relations subsisted—and all went down together. Freedom was in the country, and labor was employed; and the employment of labor, at a fair price, gave every working man a chance to rise in the world, become rich in his turn, and then to help others to rise by giving them employment. But when employers are crippled, the consequence need not be told—all fall together. Such has been the melancholy history of the United States for the best part of an age—such the aim of the government of a great and free

country, to excite the worst passions between classes, to set them to preying on each other, that they who raised the war, might profit on the common and universal ruin of the combatants!

Considering the providential event of General Harrison's decease, one who believes in the political principles of Mr. Clay, can not but look back with feelings of profound regret, that, by any means whatever—they were certainly most unfortunate, if justifiable—Mr. Clay should not have been the nominee in 1839, for 1840, as he must have been elected by an overwhelming majority. That decision will probably remain an unaccountable mystery, unless some one acquainted with the secret history of its causes, shall unfold them. That they would be instructive, is probably true; but whether the disclosure would be useful, is a question which can not, perhaps, be so easily answered. So much at least may be gathered from its clouds of uncertainty, that the straightforward course indicated by popular feeling, is always the safest, and that the management of a few ought not to control the will of the many.

The memory of William Henry Harrison is as sacred, as his character was pure, and the heart of the nation followed him to his grave. It was an astounding event, over which a great people literally wept. An unexampled effort, with unexampled success, raised him to power; and scarcely had the smiling auspices of his administration dawned, when his sun was eclipsed for ever! On the 4th of March, 1841, he was inaugurated president of the United States; on the 4th of April, thirty-one days thereafter, he died! The pall of grief which hung over the federal capital, was oppressive; and the wide domain of the republic sympathized not less profoundly.

The cabinet of General Harrison was judiciously selected: Hon. Daniel Webster, of Massachusetts, secretary of state; Hon. Thomas Ewing, of Ohio, secretary of the treasury; Hon. John Bell, of Tennessee, secretary of war; Hon. George E. Badger, of North Carolina, secretary of the navy; Hon. John J. Crittenden, of Kentucky, attorney general; and Hon. Francis Granger, of New York, postmaster-general.

Such was the opening of the Harrison administration, which lasted thirty days! The same cabinet remained with the acting president, Mr. Tyler, till the 11th of September, when, after the sad development of Mr. Tyler's character, before noticed, and of

which the world are sufficiently advised, all of them, except Mr. Webster, felt constrained, in honor and self-respect, to retire. Mr. Webster, it was alleged, judged it to be his duty to remain, on account of the pending controversy between the United States and Great Britain, in regard to the northeastern boundary, which he conducted with approved ability, brought it at last to a successful termination, and afterward retired himself. Mr. Tyler brought around him a cabinet of mixed principles, which was frequently changed during the term of his administration—his first and steady aim having been to break up the party, on whose shoulders he was carried into power, and form a new one, with a view to his own election to the presidency in 1844. To this object, principle, character, friends, party, country, were sacrificed; and from the moment he started, though his eye was on the goal, his back was toward it, and every step he was leaving it further and further in the distance, till at last he himself lost sight of it.

One of the greatest mistakes that fallible man could make, was, that the party which triumphed in 1840, could be broken up. That it could be disturbed, and its strength essentially impaired, by such a defection of a chief magistrate whom they had raised to power, with such means as he held in his hands, was true—too true. But the principles which animated them, being such as are disclosed in this work, as the principles of Mr. Clay—principles which had shaken and dissolved the Jackson regime—were too strong, and had taken too powerful a hold on the public mind, to yield to transient and accidental causes. Despondency might prevail for a season, in sight of such stupendous wrong—of such lack of virtue, of such depravity, in the head of the government, who must remain there long enough to do infinite harm; but such principles, planted so deeply, and resting on such a basis, could not be shaken. They had been ripening to maturity for an age, for more than half a century; they had been rocked by the convulsions of a long period of maladministration; they had passed through furnaces of trial, and were purified by the test; they had assailed the most powerful regime that ever overshadowed the country; they had triumphed at last; and in the midst of triumph, were betrayed! It was certainly a shock; it was a discouragement; and nothing but truth and virtue could endure it. But a resuscitation, a recovery, and a fresh effort, were inevitable. A bad man at the head of the government, and a weak administration, could indeed depress such principles for a time, being power-

less; but nothing could destroy them, or bar their action, on a fit occasion.

To see the government so debased, so prostituted, so perverted from its designs, so abused, was indeed a melancholy spectacle. To behold a chief magistrate of the United States making companions of low and base persons, and throwing himself into their arms, not only as associates, but as advisers in affairs of state, and as auxiliaries in his own perfidious schemes, to the rejection of all good company, and in contempt of all safe counsel, was a scene that might well dishearten those who had placed him there. To behold him using all the power of his high and influential position, to subvert the aims of those who had installed him in it, and to bar the path to the recovery of their rights, was enough to try the virtue of martyrs. But in the face of all these discouragements, and against all these formidable obstacles, they roused themselves to exertion once more, and will doubtless do it again, and again, till their objects are achieved. That so much vice should not break down the political fabric of the country, is proof of its strength; and that a party should be able to bear up against such assaults, and press onward, is sufficient evidence of the conservative energy of their principles.

The check that has been given by these means, to the onward march of the country to wealth, greatness, and honor, is a problem which very innocently and naturally offers itself in a train of REFLECTIONS arising out of the history that has been gone over in this work. As events have occurred, providentially, it is impossible not to think of the results that were contingent on the action of the Harrisburg convention « December, 1839, and of the responsibility of those who disappointed the wishes of the party there represented. If those wishes had been regarded, it is easy to see, that the party which triumphed in 1840, would have triumphed for an age—for ever, if they had continued to prove themselves worthy of it. Whereas, by that event, controlled as it was, a long agony still awaits the disappointed, and no one can tell what will be the end of it!

The government and institutions of the United States are an eventful experiment in the progress of political society. Whether it shall eventually realize or disappoint the hopes of the lovers and advocates of freedom throughout the world, will depend on the maintenance and continued application of those great principles on

which the government was founded, and which are so distinctly defined in the fundamental law. That the fabric has been disturbed, and in some measure shaken, within the last quarter of the term of its existence, is sufficiently manifest. But, if the apparent cause, which has been made prominent in these volumes, is one of those accidents of history which rarely occur, it may be hoped that the republic will recover from the shock, and live for ever.

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